


For Reference

NOT TO BE TAKEN FROM THIS ROOM

Ex LIBRIS
UNIVERSITATIS
ALBERTAENSIS





Digitized by the Internet Archive
in 2023 with funding from
University of Alberta Library

<https://archive.org/details/Hayduk1972>

THE UNIVERSITY OF ALBERTA

THE DISCOVERY OF TROUBLE

by



LESLIE ALEC HAYDUK

A THESIS

SUBMITTED TO THE FACULTY OF GRADUATE STUDIES AND RESEARCH
IN PARTIAL FULFILMENT OF THE REQUIREMENTS FOR THE DEGREE
OF MASTER OF ARTS

DEPARTMENT OF SOCIOLOGY

EDMONTON, ALBERTA

FALL, 1972

Thesis
72F-9

THE UNIVERSITY OF ALBERTA

FACULTY OF GRADUATE STUDIES AND RESEARCH

The undersigned certify that they have read, and recommend to the Faculty of Graduate Studies and Research, for acceptance, a thesis entitled THE DISCOVERY OF TROUBLE, submitted by Leslie Alec Hayduk in partial fulfilment of the requirements for the degree of Master of Arts.

ABSTRACT

This thesis attempts the description of the methods by which trouble is discoverable by members of society. This was undertaken for two reasons: One -- to fill a deficiency in the sociological literature; and two -- as a means of inquiring into the methods by which members sustain for themselves a sense of 'the everyday world as usual'. The theoretical orientation found to be most compatible with this inquiry, and therefore the one used, was that of ethnomethodology. The actual field work on which this thesis was based was basically fourteen patrols (eight-hour shifts) I spent with officers of the Edmonton City Police Department, as an observer in regular police-patrol cars.

The methodic features of trouble discovery described in this thesis are:

- 1) Members' use of formulations and formulating as 'cures' for indexicality. Formulations are expressions members treat as saying-in-so-many-words who someone is, what something is, where something is, etc. Formulating is the act of expressing a formulation. Indexical expressions, are expressions whose sense cannot be determined without knowledge of the situation in which those expressions were uttered. A classic example of this being the changing of the reference of the work 'I' as different persons utter the term.

It is argued that, while members see formulations as curing or remedying indexicality, such expressions do not cure indexicality. All the uses to which trouble discoverers put formulations and formulating, as documented in this thesis, stand as exemplifying members' situated handling of the essential and irredeemable indexicality of expressions.

The basic features of formulations and formulating, as features of

concern to trouble discoverers, are presented in terms of course of activity formulations. This is done because course of activity formulations were found to have a special significance for trouble discoverers.

2) Members' use of the retrospective-prospective sense of occurrence and the documentary method.

Retrospective reinterpretation is members' ability to see in some state of affairs, that what now is the case, was the case all along, even if those members had previously seen something quite different in that same state of affairs. The ability to come up with retrospective reinterpretations is of special importance to trouble discoverers.

The prospective sense of occurrence is basically involved in members' ability to wait for the moment, before deciding what they are presently seeing. It is an orientation to what might reasonably be expected to happen; which includes happenings that can clarify what presently is going on. This feature has a special influence in terms of how the police, as trouble discoverers, function in terms of the legal-justice system, as they know it to operate in practice.

The particulars of the retrospective-prospective sense of occurrence and the documentary method (which is members' ability to treat observables as evidence, surface features, or indicators of some underlying pattern, and to use that pattern, in turn, to make out further indicators, etc.) are presented in terms of trouble discoverers' concern for identifications.

ACKNOWLEDGEMENT

I wish to thank Professor H.C. Elliot for the invaluable comments, criticisms and suggestions he has given me during the entire period of the preparation and execution of this thesis. His intellectual companionship extended much beyond any official requirements and, indeed, was so exemplary that it stands as the top of the scale against which others can be measured. I alone, however, must remain responsible for the content of this thesis, as it contains my version of many issues, as well as my own deficiencies.

TABLE OF CONTENTS

	Page
1 INTRODUCTION	1
1-1 Purpose	1
1-2 Reason for Attempting Description	1
1-3 Data Collection	6
1-4 Thesis Organization	6
1-5 Stylistic Conventions	9
1-6 Conclusion	9
2 FORMULATIONS, COURSES OF ACTIVITY, AND INDEXICALITY	11
2-1 Indexicality and Formulations	11
2-2 Courses of Activity and the Discovery of Trouble	14
2-3 The Determination of Courses of Activity	18
2-4 Following Formulation Requests	24
2-5 Voluntary Formulations	29
2-6 Multiple Formulations	31
2-7 Lack of Formulation Requests After Dispatch	45
2-8 Further Notes on Courses of Activity and Formulations	46
2-9 Formulations of Entities Other Than Courses of Activity	52
2-10 The 'Non-curative' Aspect of Formulations	69
3 RETROSPECTION - PROSPECTION, AND THE DOCUMENTARY METHOD	83
3-1 Retrospective Reinterpretation	83
3-2 The Prospective Sense of Occurrence	86
3-3 Identifications as Illustrative of Members' Use of the Retrospective-Prospective Sense of Occur- rence, and the Documentary Method	94
BIBLIOGRAPHY	131
APPENDIX I - Data Supplement	136
APPENDIX II - Data Collection	144

THE DISCOVERY OF TROUBLE

1 INTRODUCTION

1-1 The purpose of this thesis is to describe the organized processes whereby members of society do the detecting or discovery¹ of social troubles.² Or, in another set of words, this thesis attempts to describe the methods whose sustained application constitutes the social competence of social trouble discoverers.

1-2 The description of how members discover social troubles was attempted for two reasons: 1) Because of a deficiency in this area of sociological literature; and 2) For the opportunity it provides for learning about how members maintain for themselves a sense of 'the everyday world as usual'. Both of these reasons deserve elaboration.

1-2-1 The deficiency in this area of the sociological literature will be documented by discussing some specific instances of where, and how the most closely related studies in the literature go astray.

1) Black and Reiss (1970 begin their paper with the following statement.

"Current theory on deviant behavior and social control inquires very little into either the organized processes by which deviance is detected or the patterns by which deviance is sanctioned, countenanced, or ignored, once it is found out."
(Black and Reiss 1970:63)
(Emphasis added)

This statement shows at least that Black and Reiss were concerned with the description of the organized processes of detection.

1. "Discovery" is the act of finding out, realizing, or learning of the existence of some state of affairs. (c.f. Guralnik 1970). The discussions of indexicality, formulations, the retrospective-prospective sense of occurrence, and the documentary method, that occur in the body of this thesis, will considerably descriptively extend what it is that constitutes 'realizing', 'finding out', or 'learning of'.

2. "Social trouble", in its broadest use, is: a social condition members see as needing repair; or a person, event, or circumstance that causes annoyance, difficulty, or distress. (c.f. Guralnik 1970). The seeing of "social troubles" is part of members' everyday experience.

A further fact reported by Black and Reiss in their paper is that, of the 281 police-juvenile encounters studies, "72% were citizen-initiated (by phone), and 28% were initiated by policement on patrol" (1970:66). This suggests that the "organized processes" of detection they speak of are not restricted to bureaucratized detectors, such as the police, but rather are processes available to, and utilized by, ordinary members of society.³ According to Black and Reiss, the social fact of the observed or detected social troubles is to be treated, and therefore presumably researched upon, as the accomplished result of a set of organized processes. Moreover, these organized processes must be members' (as opposed to institutional) organized processes, since members of society are capable of, and engage in, the detecting of social troubles. Black and Reiss, however, are unable to maintain their focus on the organized processes of detection. Their analytical framework, which is basically the use of a probability model,⁴ results in their collection of data related to "situational properties besides rule-violative behavior that generates a social control response" (1970:63).⁵ They state several situational properties⁶ that influence the probability of detection, but they fail to indicate what this is supposed to tell us about the "organized processes of detection", themselves.

3. c.f. Black and Reiss -- "The crime detection function is lodged mainly in the citizenry rather than in the police." (1970:66), and Black -- ".... lodges the primary responsibility for crime detection in the citizenry rather than in the police." (1970:735), and Black -- "the unpredictability of crime itself would usually render the police ignorant in the absence of citizens." (1970:735)

4. Black and Reiss state: "One way of drawing detection and sanctioning differentials into the analytical bounds of theory is to define deviance in terms of the probability of a control response." (1970:63).

5. See, also, Black and Reiss 1967:68.

6. See Black and Reiss 1970:64, 67, 74-75. Examples of these properties include: the presence of a citizen complaint, and whether the offense occurred in a public or private place.

- 2) Stinchcombe (1963), in discussing the influence of private and public places on police practice, makes the following statement:

"Of course these variations in the social location of crimes imply differences in police practice. Information relevant to each stage of the criminal process comes to the police in different ways, different degrees and kinds of coercion have to be applied for different purposes, different things have to be proved with the evidence. There are differences in the number and types of private places that have to be penetrated, and in the amount of preparation of the case previous to this penetration."

(Stinchcombe 1963:153)

This statement uses as an unquestioned resource the 'socially competent member'. "Information" is only "information" for those who can 'make it out that way'. It is not "information" to the socially incompetent. It is only "relevant" for those who can make it out to be relevant. Again, contrast this with the socially incompetent. Likewise, the 'making out' of 'purposes', 'evidence', 'preparation', etc. demands a social competence. Since it is precisely this social competence, as a phenomenon, that this thesis is directed to, and since Stinchcombe has not inquired into this competence (but depended upon it instead), it would seem unreasonable if I were to accept Stinchcombe's article as 'filling' the deficiency toward which this thesis is directed.

- 3) The same argument, stated in a slightly different fashion, is the reason Skolnick's (1966) work is not directed to an issue compatible with the issue this thesis directs itself toward. He states:

"From sociology I borrowed the 'action perspective,' the idea that the investigator can best perceive the meaning of events through the eyes of the participant."

(Skolnick 1966:26)

To look "through the eyes of the participant" is to establish within oneself a social competence more or less similar to that of the participant. If one then reports, as results, the 'meaning of events' arrived at on the

basis of this competence, he has treated that competence as a resource.⁷ This is to be contrasted with the approach of reversing the question at this stage, and asking: Wherein resides the social competence whose skillful application results in the seeing of things as the participant, in this case the trouble discoverer, sees them?

- 4) The unexamined resourceful incorporation of the social competence that constitutes the detection of social troubles, within one's description, also eliminates other writings.

For example, Kitsuse (1964) states:

"In formulating the problem in this way, the point of view of those who interpret and define behavior as deviant must explicitly be incorporated into a sociological definition of deviance."

(Kitsuse 1964:88)
(Emphasis added)

Similarly, articles that incorporate members' social competence as the seeing and doing⁸ of 'discretion' cannot be taken as filling the deficiency. The 1964 article by Piliavin and Briar on "Police Encounters with Juveniles" is one article excluded in this way.

The only paper encountered, that maintained both a perspective compatible with that taken here and a focus on the methods by which social troubles are discoverable, was Sacks 1972b. Unfortunately this paper was not based on hard data.^{8a} Some of the ideas it presented did turn out to be useful⁹ while other required basic revision.¹⁰

7. See Zimmerman and Pollner 1970, and Turner 1970 for a discussion of topic and resource.

8. In the sense of Garfinkel and Sacks 1970:352.

8a. By "hard data" I mean specific instances of recorded actual occurrences.

9. One instance of this is the notion of "favorite misuses". See footnote 33 in Chapter 2 for a list of places where this term appears.

10. See footnote 3 in Chapter 2 for the distinction between his use, and my use, of the terms "path" and "course".

1-2-2 We turn now to the second reason for undertaking this study, namely, for what it can tell us about how members maintain for themselves a sense of 'the everyday world as usual'.

The notion that the common-sense-world-of-everyday-life is the sustained, methodic accomplishment of the members of that world, is presented by Garfinkel when he states that,

"the objective reality of social facts as an ongoing accomplishment of the concerted activities of daily life, with the ordinary, artful ways of that accomplishment being by members known, used, and taken for granted, is, for members doing sociology, a fundamental phenomenon."

(Garfinkel 1967:vii)

Once it is realized that social troubles are, for members, objectively real social facts, the study of the methodic processes, in which the accomplished facticity of social troubles resides, becomes one particular instance of the type of study that Garfinkel proposes.

I know of no theoretical or experimental reason to consider the accomplishment of the discovery of social troubles and the accomplishment of the seeing of the every-day-world-as-usual as being the results of the application of different sets of methods.¹¹

One major reason for believing that the same methods are employed is that, at times, incidents do appear as unusual, strange, confusing, troublesome and the like, without having appeared that way to the member, over the entire preceeding duration of the incident. That is, incidents can be seen to develop quite normally for a period of time and then to have the

11. The fact that Garfinkel speaks of an "ongoing accomplishment" in the above quotation, while I speak of the methods or processes by which that accomplishing is done, should not disturb the reader. The two are most compatible, as we see when even Garfinkel states: "Ethnomethodological studies analyze everyday activities as members' methods for...." See also Sacks 1963 and Bittner 1967:701 on "practical skill" for further material relevant to this point.

troublesome, strange or unusualness of the incident become apparent.¹²

An argument against the conception of 'trouble discovering' and 'the everyday world as usual' being the results of separate sets of methods is that this conception leads to an infinite regress. One would have to postulate a mechanism by which one set of methods was chosen, in favor of the other, as being the set applicable at any given time. To provide for this type of choice, the mechanism would have to recognize and distinguish between trouble and non-trouble. This mechanism, then, must demonstrate the same ability that prompted its postulation in the first place. This is the infinite regress that results from considering 'trouble discovery' and 'the everyday world as usual' as being the result of separate sets of methods.

The inquiry, then, into the methods by which trouble is discoverable by members of society, is also an inquiry into the methods by which members' sense of the everyday-world-as-usual is sustained.

1-3 A discussion of the data collection technique used, and the rational for the choice of the Edmonton City Police as the group studied in this thesis are presented in Appendix II.

1-4 This thesis is organized as two chapters, each dealing with a set of key issues in the description of members' methods for the discovery of trouble.

Chapter 2 basically centers on the presentation of the parts formulations and formulating play in the discovery of trouble. A formulation is a linguistic expression members see as saying something in-so-many-words.

12. This receives a much fuller exposition in section 3-1 on "retrospective reinterpretation".

(See section 2-1). This can be contrasted with expressions that hint at, or imply something. The term 'formulating' is simply used to mean the act of expressing a formulation.

There seems to have been a general acceptance of the notion that the certainty or clarity of formulations resides in the objective¹³ nature of the expressions that make up the formulations. That is, formulations are generally proposed as instances of, or as mechanisms for, the 'curing' or the 'remedying' of indexicality. Indexical expressions are expressions whose referents can change over repetitions of their use.¹⁴ The terms 'I', 'now', and 'here' typify indexical expressions. 'I' can refer to any of the innumerable persons who can use the term. The reference of the word 'here' changes as the speaker moves from location to location. (See Section 2-10.)

Considerable emphasis is placed on trouble discoverers' formulations of members' courses of activity, because courses of activity were found to play a special part in the discovery of trouble. Other types of formulations, as well, are presented in sections 2-8 and 2-9.

At the end of Chapter 2, it is argued that formulations do not, indeed, 'cure' indexicality. That is, it is argued that the understandable certainty of formulations does not reside in the objectivity of the expressions that make up the formulations. What is presented in the preceding parts of Chapter 2 is not a documentation of the objectivity of formulations overcoming or remedying indexicality, but rather stands as a documentation of members' practical handling of, or functioning with, indexical expressions.

13. An expression is said to be objective if its referent is situation or context-independent. (See section 2-1; and section 2-10)

14. See section 2-1 and 2-10#2.

Members' ability to function within a morass of indexicality seems to be a basic point of both theoretical and practical interest, as it seems to present a qualitative, and presently unbreachable gap between the functioning of societies and the functioning of systems, such as computers, which require objective type input.

Chapter 3 is descriptive of several other interrelated features that are basic to how members proceed with the discovery of trouble. This chapter presents the concepts of:

- 1) the retrospective sense of occurrence (including reinterpretation as a possibility) -- that is, members' ability to see that what is the case now, was the case all along, even if at some previous time that member had seen something quite different as having been going on. (See section 3-1).
- 2) the prospective sense of occurrence -- that is, members' ability to conduct their present activity on the basis of what they expect as reasonably likely future occurrences. (This includes 'waiting for the moment' to decide what it is that one is presently seeing.) (See section 3-2).
- 3) the documentary method -- that is, members' treating what they see as having an evidential value, or as standing as a symptom, artifact or surface phenomenon, reflecting some underlying pattern of the way things really are; this pattern, in turn, being used in determining further symptoms, artifacts or 'evidences'.

These features all have special influences on how trouble discoverers proceed. The particulars of these influences are documented in terms of police concern for identifications, and how identifications relate to courses of activity, and the discovery of trouble. (See section 3-3).

This introduction is very brief, and it glosses over a lot of issues raised in the body of this thesis. It was intended to be an indication of

the organization of what is to follow, and was not intended as a survey of all the content of what follows.¹⁵

-5 Several stylistic conventions utilized in this thesis are noted below.

-5-1 Abbreviations and Symbols

O: officer
Os: officers
O1: officer-one (if two or more officers are involved in an exchange)
O2: officer-two (if two or more officers are involved in an exchange)
O3: officer-three (if three or more officers are involved in an exchange)
M: man (male)
F: woman (female)
Y: youth
Miscellaneous other letters are used as abbreviations for specific individual's names.

-5-2 Quotation marks

- " " will be used to mark off: a) quotes from other works.
b) data placed within the text itself.
' ' will be used for: a) terms used in a technical or otherwise unusual sense.
b) paraphrasing.

-5-3 All data spaced off from the rest of the text is verbatim data, unless specifically noted otherwise, but it will not be placed in quotation marks.

-6 There is no chapter intended as a conclusion to this thesis. It seemed strange to try to write a conclusion to a description. If the reader is looking for theoretical implications of what is said, or relationships to other concerns, these are rather extensively noted in the body

15. This thesis has not attempted to present a complete survey of all the features of members' sense-making practices that have been pointed out by the various persons engaged in ethnomethodological research. (c.f. Cicourel 1970:147-153, and Sacks 1972a). While these other features were noted during my work, adequate coverage of each of them would have required further detailed studies in their own right.

of the thesis itself. A ten or even twenty-page conclusion would provide no more than a superficial survey of the complicated problems encountered in this description. Since a superficial survey of complicated problems is about the last thing a conclusion should be, it was omitted.

FORMULATIONS, COURSES OF ACTIVITY, AND INDEXICALITY

As stated in the introduction, Chapter 2 is intended as a presentation of the parts formulations, and formulating play in the discovery of trouble. I begin here by presenting the notion of 'indexicality', for which members take formulations to be a cure. The importance of formulations is primarily discussed in conjunction with courses of activity (sections 2-2 to 2-8). Formulations of other entities are presented in section 2-9. Section 2-10 is of extreme theoretical importance, as it argues the essential non-indexicality-remedying nature of formulations. We begin then, with a discussion of 'indexicality'.

Garfinkel, following Husserl, speaks about:

"...expressions whose sense cannot be decided by an auditor without his necessarily knowing or assuming something about the biography and the purposes of the user of the expression, the circumstances of the utterance, the previous course of the conversation, or the particular relationship of actual or potential interaction that exists between the expressor and the auditor."

(Garfinkel, 1967:4)

These expressions have received the title 'indexical expressions'. The counterparts of indexical expressions have been termed 'objective expressions'. Objective expressions are those expressions for whom the context of the production of the expression is irrelevant. A hypothetical example of an indexical expression is: "He went to the store." The following is an attempt at the objective counterpart of this indexical expression: "On the afternoon of May 3, 1972, Mr. John Edwards walked to the Hudson's Bay store at Jasper and 103 Street. in Edmonton." The programmatic requests for the remedial transformation¹ of indexical into objective expressions, as found in the

1. This transformation is generally supposed to be achieved by clear specification of the context. (c.f. Bar-Hillel [1954] who talks of the specific items that would have to be supplied to make his examples 'clear', or any of the numerous other strategies proposed in standard interviewing methods texts.) (c.f. Gordon 1969: Chapters 5 and 6)

sciences, have their counterparts in everyday life. (See Garfinkel and Sacks 1970:348-350)

The prevalent and insisted upon (by members of society) means of remedying the properties of indexical expressions, exposed by Garfinkel and Sacks, has been termed 'formulating'. In particular:

"A member may treat some part of a conversation as an occasion to describe that conversation, to explain it, or characterize it, or explicate, or translate, or summarize, or furnish the gist of it, or take note of its accordance with rules, or remark on its departure from rules."

(Garfinkel and Sacks 1970:350; emphasis added)

Conversationalists' practices of "saying-in-so-many-words-what-we-are-doing (or what we are talking about, or who is talking, or who we are, or where we are)", (Garfinkel and Sacks 1970:351) have been termed 'formulating'.

A further terminological distinction will be of use here as it will allow us a means of pointing out an unclear aspect of the notion of indexicality, as developed above. The above statement of indexicality (Garfinkel 1967:4) was made in terms of the indexicality of expressions, which in turn has been taken as being the indexicality in the written transcriptions of conversations, statements, etc. In doing so, one easily misses the fact that any physical display; that is, any pattern of machine-recordable characteristics are received by an observer, which I shall call a 'path'; is just as indexical as are expressions. The reader should be quite aware that a particular physical display made out to be a member of society, can be determined² to be that member engaged in any of a number of different

2. The term "determined" will be used, unless otherwise noted, as a shorthand representation of the phrase "making out", as intended in statements such as: "making out that it is the case that", or: "making it out to be the case that". It is intended to carry a specific reference to the work of utilizing the methods or practices by means of which recognizable sense is accomplished by members of society. The terms determining, determine, determination, etc. are also intended to convey the above sense of "making out" as accomplished work.

courses of activity.³ (The same physical display might be either a lovely young lady arriving home in the evening or a call-girl arriving for a session.) Likewise, different physical displays can be seen as 'the same thing'. (There is almost an unlimited number of physical displays that could be seen as "a man buying a newspaper". Variations can occur in the aspects of the physical display seen as the location, his style of dress, his body position(s), etc., yet somehow it can still be seen as "a man buying a newspaper".)

The formulation of courses of activity⁴ (that is saying-in-so-many-words-what-someone-is-doing) now takes on two aspects that perhaps were not clear in the way Garfinkel and Sacks presented 'formulating'. One -- formulations need not be restricted to formulations of conversations (for example, one could formulate a course of activity based on a visual display alone). And two -- formulations no longer need include a reference to the member doing the formulation within the content of the formulation. It is no longer only what we are up to, but what we, or he, or they, or you, etc. are up to, that can be formulated. These two aspects, taken together, allow

3. The terms "path" and "course" are borrowed from Sacks 1972b, but they are used in a slightly different way than Sacks uses them. His use of both "path" and "course" fall under the use of the term "course" here. He uses the term "path" as unit acts, sets of which are to be termed "courses of activity". This can be seen from the following.

"(The policeman) seeks ... to transform information about the paths candidates select into a description of a set of acts which may be seen as the assembly of a crime." (Sacks 1972b:290)

From this it is seen that his use of "path" is not simply a physical display, as the term is used here, but is instead a physical display upon which the work of utilizing or applying members' sense-making practices has already been done. His use of "path" and "course" parallels my use of "sub-formulation" and "formulation" (section 2-6-1-1), given appropriate corrections for the difference between seeing an activity and formulating that activity.

My use of the term "path" is also to be distinguished from a path as a trail or track. Trails or tracks are one of the many things that members can make out a physical display to be.

4. The formulation of names etc. will be discussed in sections 2-8 and 2-9.

for the extension of what Garfinkel and Sacks were talking about. It is an extension -- as opposed to a criticism -- in the sense that the above two limitations are dropped, while the nature of the arguments remain the same.

Another crucial point about formulating will be made in section 2-10 below, but for the moment we will begin to develop the relationship between both courses of activity, and formulations of courses of activity, as they relate to the discovery of trouble.

Again as stated in the introduction, 'social trouble', in its broadest use, is a social condition members see as needing repair; or a person, event or circumstance that causes annoyance, difficulty or distress. The means by which trouble is discoverable by members of society is of interest to the sociologist because of the possibility it provides for discovering the methods by which members of society sustain for themselves a sense of social order. I know of no theoretical or experimental reasons to consider the accomplishment of the discovery of social troubles and the accomplishment of seeing the 'everyday world as usual', etc. as being the results of the application of different sets of methods.

2-2 Courses of Activity and the Discovery of Social Troubles.

The proposition being proffered here is that whosoever would proceed to discover social troubles must do so by determining the course of activities members are engaged in, were engaged in, will be engaged in, will have been engaged in, etc. This proposition seems to gain support from the following:

- a) Any particular physical display itself cannot be 'social trouble'. The portion of the physical display made out to be the staging of a 'murder' in a play, may be indential with the corresponding portion of a physical display of a 'real' murder. The difference appears to lie in that one

course of activities is seen as "persons acting out a play" while the other is "person(s) killing another human being". The 'same' physical display then, can be seen as members engaged in quite a different course of activity.

- b) Even the briefest acquaintance with the Criminal Code of Canada should convince one that legality, or illegality, concerns the 'engaging in' of activities of specified types. For the legal-justice system, it is acts, activities, actions, etc. and not physical displays, that are proscribed. Even those proscribed activities that would seem easiest to describe as physical displays contain specific references to the course of activity involved. For instance in Section 159 of Nudity (Martin's Annual Criminal Code 1964:138), the phrase 'without lawful excuse', is obviously intended to cover cases where the physical display corresponding to a nude person in public is present, yet where 'the circumstances' or 'the situation' or the course of activities in which the person is engaged, makes their appearance in this way excusable. (For example, someone escaping from a fire.)
- c) Trouble discoverers, including police officers, see physical objects in terms of the courses of activity they:
 - i) can be used to further. Actually observed examples of this include:
 - 1) Officers stopping to carefully inspect a large hole in the front window of a music shop that appeared to only be covered by cardboard. It turned out that it had a plywood backing, but the officers were still concerned that the pile of boxes holding the board in place could simply be pushed back as a means of gaining illegal entry.
 - 2) An officer temporarily confiscated a clip and a handful of 22 shells while investigating a family fight, thereby preventing any course of activity requiring their use during the time of the investigation.
 - 3) While making routine checks of a city discotheque officers continually checked piles of redecorating materials, in and behind fire extinguishers, under the tops of ashtrays, behind an old sign that

had been left leaning against the wall, and under the bottom of a stool near the entrance, because all these objects provided recesses where small quantities of illegal alcohol could be stashed by bootleggers.

4) The possible course of activities associated with a mobile home that was observed one evening was made patently obvious by an officer's misnomer of it as a "mobile whore". Promiscuous sexual activity seemed to be a course of activities the officer saw the mobile home as possibly furthering.

ii) can indicate as having occurred. This is the classic use of clues or traces to determine "what happened", that is, what course of activities some member was engaged in, despite the course of activities he might claim to be engaged in. Observed examples of this include:

1) Officers pointing out empty liquor bottles in the loading-bay of a large downtown store as indicating someone had been drinking there.

2) Officers pointing out a set of tracks in freshly fallen snow as indicating someone had been running away, had slipped but not fallen, and had partially dropped a pair of skis that had just been reported stolen from a nearby car.

3) Wet mud on a man's shoes indicated he had been out walking in a nearby muddy area recently, and water on a pair of boots indicated the owner had been walking outside, but had come in, just long enough ago for the snow on his boots to have melted but not yet dried off.

4) The positioning of a wallet that had been found in a waste-can by the shower in a rooming house, led the officers to speculate that "it had just fallen out of the man's pocket" when his pants were draped over the waste-can while he was showering, and that hence there was no need to go looking for someone who had been engaged in the activity of stealing his wallet. Though the contents of a wallet normally can be used to ascertain if a theft occurred, this was not possible in this case. Since money is the only item usually stolen -- as the other contents of wallets are normally traceable -- and since the man claimed he had had no money in his wallet before it was stolen, finding that the wallet contained all its original documents, but no money, was of no use in verifying whether a theft had occurred.

5) Two officers provided me with a "special tour" just to see a pane of glass in an overhead glass garage door that had been broken and then replaced with a glass that gave no reflections, while all the other panes in the door gave reflections. They commented that it "just caught their attention" and they would sometimes check it two or three times a night just to be sure it was "there" and had not been broken out by someone committing a 'break and entry'.

- d) Likewise, trouble discoverers, including police officers, must see locations or settings in terms of the courses of activity they can be used to further. Back lanes by the downtown discotheques become 'places where bootleggers stash larger quantities of alcohol', parks and other deserted areas become 'lovers lanes' and 'areas where one could conceal assaults or rapes', school grounds become 'places where child molesters would loiter' and areas of the city blacked out by a power failure become 'areas where "smash and runs" are likely to occur'.⁵

The seeing of objects and places in terms of the illicit courses of activities they are, or could be, associated with has been term 'seeing things in terms of their "favorite misuses" by Sacks 1972b:292'.

- e) Courses of activity can be determined without observation of an accompanying member's physical display. That is, one can determine a course of activity in which someone is engaged without observing the member himself.

For example, when an officer leaned a small stick up against each of the back doors of a downtown discotheque late one night and later observed that one had been knocked down by the opening of the door, he seemed quite convinced in his suspicion that someone had, and might again, come out into the back alley to pick up alcohol to bootleg in the discotheque.

- f) Incidents such as the following also seem to show concern for courses of activity rather than for physical displays.

The following are statements an officer made: a) upon spotting a man standing on the sidewalk of a downtown street drinking beer, and b) then upon spotting another man crouched over a low wooden fence a few feet beyond the first man. The officer was about one-half block away from the men when he spotted the first man and the officer, who was driving the police car, had begun to approach the first man by car when he spotted the second man.

5. "Smash and run" is a phrase used to describe the activity of smashing a display window while there is no electricity available, and therefore the alarm systems are off, and then running away with the 'loot'.

O (to his partner): There's a bottle of beer for you.
O (spotting second man): What the Hell is he up to?
O (answering his own question): Oh, he's opening another bottle.

This last statement is a formulation of the man's course of activity and definitely is not a description of a physical display.

2-3 Given the importance of courses of activity for the discoverer of trouble, one would expect to find an emphasis placed on the determination of the courses of activity persons are engaged in. In particular one would expect officers to pay particular attention to obtaining formulations of courses of activity. This would be the case for two reasons:

- 1) Officers are required to report to their superiors and to the courts, as to the activities persons were engaged in. Reporting to such persons requires the officer to be able to say (or write) in-so-many-words what those activities were. Being able to say-in-so-many-words, that is, formulate, seems to be a precondition for being able to write-in-so-many-words.
- 2) Persons reporting to officers also generally do so via formulations. If an officer can get a person to proffer to him a correct formulation of some activity, the officer then has that person's report of the activity.

Requests for formulations of member's courses of activities do, indeed, appear to be a routine part of police work. The area of formulation requests will be separated into two groups here. The first being 'formulation requests after dispatch', and the second being 'formulation requests in on-view situations'. Both of these are concerned with formulation requests occurring at the beginning of the contact between the police and some citizen(s).

2-3-1 Formulation Requests After Dispatch.

Following citizen complaints, which are generally telephone calls to police headquarters, police cars are generally dispatched by providing a particular patrol car's personnel with a location (for example, an address),

a 'preliminary' reason for the dispatch (for example: a family fight, trouble with a man, house fire, trouble with a drunk, accident), and some identification of the complainant (for example: 'See Mr. X' or 'See the desk clerk.').

The following is a typical dispatch, in fact a verbatim dispatch, to the car patrolling district 135:

Dispatcher: 135
O in car: 135
Dispatcher: Ritz Cafe. (pause) Fight.
O in car: 10-4 ("10-4" is the police code number for "Received and Understood".)

(In this case the staff of the cafe are well enough known that no complainant need be specified.)

Dispatches of this nature generally give the officers some indication of the seriousness of a complaint. Compare 'man with a gun' with 'a parking complaint'. They also typically provide an indication of how to proceed to the scene. They can proceed with lights and siren, or proceed by normal driving, or they can drive fast but not use the siren. The siren is not used if a break and enter is in progress, for example. Typically, however, dispatches give little information regarding the specifics of the incident. Cars dispatched by messages mentioning 'thefts', or 'family fights', or 'trouble with a man' frequently arrive at locations where just about anything can have happened. For example, one dispatched message mentioning a 'theft' turned out to be a case where a prostitute had not insisted upon payment before rendering her services and who subsequently was not paid.

The following are the first statements uttered by officers upon arriving at the scene of various dispatched cases. It is easily seen that they are questions to which the answers would be a formulation of what someone

was or is doing, namely some course of activity that has given or is giving someone cause for complaint.

1) Family fight.

O: What's your big problem here folks?

M: (a rambling response)

O: What's your problem right now?

2) Theft - Complainant at headquarters.

O: Sir? (pause) What happened?

3) See female in lobby of _____ Hotel.

O: What happened to you? (approaching a female with a bloody rag wrapped around her hand)

F: (no response)

O: What happened to you?

4) No reason for call given.

Male desk clerk of a motel telephones his wife in one of the motel units when he sees the police arriving, as she was the one who had wanted the police. The officer's first statement was made after he had waited while the man called his wife to the phone.

O: Now would you be good enough to tell us why we are here?

M: (Directs police to wife in one of the motel units)

O (To man's wife, in the unit): Now maybe you can enlighten us as to exactly what the situation is?

5) Theft.

O: Somebody here called the police?

M: (nods his head)

O: O.K. What's the problem?

6) Theft.

M: I called.

O: What's the problem?

7) Stabbing - complainant in hospital.

The officer's first statement was made as he approached a man standing in a hospital hallway after the officer was directed to him by a nurse.

O: Are you going to give us an idea of what happened?

M: (no response)

O: What happened?

From these cases it can be seen that obtaining a formulation of someone's course of activities in the first objective of officers after arriving at the scene of a dispatched call.

3-2 Formulation Requests in On-view Situations.

While patrolling in cars officers generally are not able to request anything from those they observe unless they stop and approach some specific person(s). The approach can be either by stopping the car and walking up to someone, or, at times, simply by driving up and stopping within hearing distance of the person. The major problem is the acoustic problem of remaining within hearing distance long enough for the person to hear a question or two, and long enough for the officer to hear the replies.⁶ Once an approach has occurred, the person approached is again generally greeted with a request for a formulation of his course of activities. Typical examples of this procedure are questions like: "What's your problem?"; "What are you trying to do?"; "And what do you think you're doing?"; and "Why is she crying?". However, some persons, or rather, types of persons, approached by the police are not subjected to requests for formulations. In particular, 'friends' of the officers, known informers, and persons whose courses of activity appear obvious; for example, a mailman, sales clerks, etc., are not approached with formulation requests. (See section 2-6 on multiple formulations below.) Sometimes, however, even these persons are approached with formulation requests, but they are generally requests for location formulations, such as in requesting directions, rather than requests for course-of-activity formulations. (See section 2-9 below.)

6. Conversations made from moving police cars do occur, but are typically short and often are warnings or instructions.

- Example: 1) Officer rolling down his window and hollering as he drove by a man in stocking feet walking down a snow-covered sidewalk.
O: Where are you going?
M: Right here. (Opening the door of a hotel)
O: O.K. (Possibly said too softly to be heard by M)
- 2) Officer rolling down window and shouting at a man trying to cross against a red light.
O: Get out of the road, dummy.

The possibility of formulation prior to the approach of the officer(s) is the feature that best distinguishes these cases from dispatched cases. Formulations the officers develop prior to an approach can be offered by the officer(s) as reasons for the approach. For example, two officers approached a man trying to boost his car with an extra battery because they thought he was "using a stolen battery". These formulations, often referred to as what they suspected was going on, are not generally proffered to the "suspect", but are retained for, and given to, one's partner, the sergeant, others concerned with the administration of "the case", or legitimate observers, such as myself. At any rate, most formulations offered before any form of approach⁷ are simply used to 'let someone know', or 'to draw someone's attention to' what was seen. These formulations are, of course, subject to possible retrospective reinterpretation. (See section 3-1). Often, because of other, and higher priorities: the non-serious nature of the incident, the non-illegality of the occurrence, or lack of evidence, no action was taken; so the formulation simply stood as having let someone else know what one saw as going on.

For example:

- 1) Officer upon seeing a man pick something up off a sidewalk in front of a downtown discotheque:
O: Don't tell me he found a full bottle?
- 2) Officer upon noting that a restaurant, with rented upstairs rooms, had reopened:
O: I'm sure he was running a couple of girls from there.
- 3) Officer upon hearing someone crying some distance away. (In this case the officers did approach and talk to the crying female and her male companion, so this is one of the cases in which no other priorities interfered.)
O: Somebody's not too happy about something.
We'll check it out.

7. See section 2-10 for formulations done after an approach.

- 4) Officer upon seeing a car go through a stop sign.
O: That's a stop sign, buddy. Right?
- 5) See the last example in section 2-2 above for an officer requesting a formulation and then supplying the requested formulation himself.

The search for course of activity formulations, without being able to request a formulation from the appropriate member of society, typifies the problem of some social trouble discoverers who are not policemen. Such persons would include: 1) those who want to know, but not be known as knowing -- spies, undercover detectives, Machiavellian types, informers looking for 'things to sell', and, at times, newspaper reporters; and 2) those who are concerned with who might be observing them. This can include anyone from drug pushers to unobtrusive sociological researchers.

This problem of not being able⁸ to approach and interrogate others holds for the average member of society, if he suspects something as being wrong. This is the dilemma faced by the person who believes he has grounds for suspecting that someone might be stealing something from a store, but who has no official sanction to approach and question the person involved. In this case, members are likely to go to other members who do have 'approach authority' such as security guards, police, managers; and to proffer to them, the suspected course of activity formulation. The member, then, is approaching another member because of that second member's 'approach authority'.

2-4 So far we have looked at requests for formulation. Now we will look at three possibilities that can occur following such requests. They are: 1) the use of the content of a subsequent formulation; 2) the use of the "style" of the formulation; and 3) the absence of an appropriate formulation.

8. In general, such inability to 'approach' may be the result of an anticipatory anxiety that precludes members from allowing such situations to develop (Garfinkel 1967:70).

2-4-1 Use of Formulation Content.

If an officer makes out the proffered formulation of a course of activity to be an instance of an activity proscribed by the Criminal Code of Canada, the content of the formulation may provide the basis for further legal action.⁹ For instance, when one officer asked "O.K. What's the problem?", he received the following formulation in reply: "I stole a radio and Mom wants to charge me." In this case the formulation can be made out to contain the specification of an illegal course of activity and a 'confession' to having committed the act. Other typical responses include: "My husband beat me up...", "Someone stole...", and "The people across the hall are making so much noise...." (This last example is a paraphrase). In all these cases the content of the formulation presents the source and/or the nature of that person's troubles.

The content of formulations, whether they occur at the beginning, middle, or end of a conversation, can be, and often are, faulted. To fault the content of a formulation is to claim, or assert, that what was said-in-so-many-words is not the way things really are.¹⁰ (See section 2-6-2 on the 'neutral frame of reference' for part of the analytical problem involved in speaking this way.) It may be that something was left out, or that too much was included, or that what was said was entirely incorrect.

9. Or, it may be the basis for other actions such as: warnings, simply recording the incident, or ignoring it. If it is not made out to be an instance of activity proscribed by the Criminal Code, it may also offer an opportunity for such actions as warnings or ignorings, but it may also be followed by an explanation that explains why, or that, the activity is not illegal.

10. Two things of importance that are not discussed here because of data and time limitations, are: 1) How one member faults another's formulations. That is, how does a member proceed so that what he is seen as doing is 'letting it be known that a member's formulation is being faulted'? 2) What can bring about the faulting of formulations?

Example:

1) Officer to motorist who, in trying to explain how an accident occurred, had repeatedly offered formulations, the content of which stated that he was making a left turn, when the positioning of the automobiles involved indicated he was making a right turn.

O: If you keep insisting it was a left turn, I'm going to take you in as intoxicated.

2) A man, while being transported to The Alberta Hospital, was explaining how much his revolver had been used, and talked about six shells being fired from a box of 50 shells. An officer later commented that he had counted the indicated shells and that there were, in fact, three shells left in the box, plus the five that had been found in the gun; an obvious criticism of the content of the man's formulation. By faulting the formulation that the man had presented as 'his story', the officer thereby faulted the man's story as well.

3) An officer 'arresting' a girl for "assault by trespass", (see footnote 15) found fault with the content of the girl's formulations of what had gone on. The faulted formulations are underlined.

O: ...now you are under arrest. (Ushers her out the door)

G: I'm not under arrest. I didn't do anything wrong.

O: Yes you did, you committed assault by trespass.

G: I didn't assault anybody.

O: The law is very clear, by throwing your elbow back, you in fact assaulted him.

A further means of finding fault with the content of formulations is to claim one formulation contradicts another. The following example also brings out the fact that the cause of the misformulation can be of concern to members. In general, misformulations may be the result of a 'slip of the tongue', a 'purposeful attempt to mislead someone', a 'purposeful attempt to mislead someone, that produced a slip of the tongue', that the member was 'incompetent at formulating' (see example 2 above), or simply a result of that member's not 'having all the relevant information'.

Example:

Officers investigating a hit and run accident (see Appendix 1):

O: How did you get home?

M: What do you mean, 'How did I get home'?

O: Exactly what I said. How did you get home?

M: I walked.

Later:

- M: Somebody -- a friend -- drove me home because it was steaming.
O: His story has changed already. At first he wasn't driving.
(His car was steaming because his radiator water had leaked out after the radiator was punctured in the accident.) (This was said to me, but was loud enough for M to hear.)

Officers' formulations themselves are often faulted. Three typical cases where this occurs are:

- 1) Officers, after repeating what someone said, 'just to see if they have it straight', are often corrected for leaving things out, for using words and/or sequences of words that change the shades of meaning involved, or for mixing up the order of occurrences.
- 2) At times an officer will proffer a formulation of 'what really happened', when he suspects he is being 'strung a line' during an investigation. This can be used as the tactic of confronting someone with what the officer 'knows', but it can also leave the officer open to being told in no uncertain terms that his formulation is 'way out in left field'.
- 3) Officers' reports as formulations, that is, writing-it-in-so-many-words, are often faulted by the supervising sergeant on several grounds. For example: for what they lack, need not include, or where something had obviously been 'gotten wrong', as is the case when contradictions occur within a report.

-4-2 The Use of the Style of Formulations Presentation.

An officer, during the investigation of an accident in which a truck had rammed some garbage cans, commented that the vehicle owner was giving his answers 'too quick', so he suspected the man was feeding him a 'prepared story'. This officer was using the style of the formulation's presentation to determine what might be going on.¹¹

11. Even though I have no evidence of it, one might expect that the police would be suspicious of being 'told tall stories' if the person being interviewed stopped and thought a few moments before offering any formulations
(continued)

2-4-3 The absence (lack) of a formulation.

Garfinkel and Sacks (1970:351; fn. #24), speak of one of the "temporal features" of formulations as being that members can recognize that a formulation "could have been done". They are making the point that members' recognition that something was, or could be, said in-so-many-words on some particular occasion is quite distinct from members' recognition of what was, or could be, said in-so-many-words on some particular occasion. This now points to the fact that a member's determination of a course of activities can be influenced both by the presence or absence of a formulation, and the content of the formulation. The specific importance of this is that members, after having received a request for a formulation, may not proffer one, and have it's absence noted by other members.

Example:

1) A man who was standing near a female with a cut hand, and who had some blood on his clothes was asked who he was and what had happened. He replied that he did not want to give his name or get involved, as he might incriminate himself.

In this case, members can recognize that the man's reply did not say-in-so-many-words who he was or what had happened, and furthermore, that this absence can be seen as his resisting the officer. If one is inclined to feel the content of what the man did say is the basis for the sense of resistance, all one need do is note that the man would still have been seen as resisting the officer if he had said nothing in reply to the officer's question. The man had been listening to, and talking with the female a few moments earlier, so his being a deaf mute could not be an alternative.

2) In the course of a conversation with a man whom the police had suspected as being wanted on a warrant issued at the request of The Alberta Hospital (a mental institution) the man was asked if he had called the police station earlier that evening, complaining about the walls in his hotel room moving. He replied that he did not remember.

11. (Continued)

in response to questions. They might also be suspicious of too much or too little detail in formulations.

Again we note that members can recognize that the man did not proffer a formulation whose content corresponded to that requested by the officer. Once this absence is noted, the course of activities the man is engaged in, which accounts for this absence, can become problematic. In the last-mentioned case, the man's 'not remembering' is his explanation of the absence of the requested formulation. The ability to recognize that a formulation could have been, but was in fact not done, may be the basis for the following opinion that I overheard an officer express. He suggested that if someone refuses to give a story, or if someone gives 'some kind of story'; that is, a story as yet unascertained as being the real story, the more difficult of these two "problems" is the latter. It may simply be that by not proffering a requested formulation; that is, by refusing to give a story, it becomes obvious to the officers what the person is up to. If, on the other hand, a formulation is proffered, it still remains to be determined whether it is 'a' story, or 'the real' story.

Two other occurrences of 'lack of formulations' illustrate that the lack of a formulation is not necessarily indicative of opposition or resistance, as one might be led to expect from the above examples.

1) When advice is requested of a police officer, the following tactic is often used. The officer gets the requestee to offer a formulation and then agrees with it.¹² Thereby, the officer has not legally advised; that is, not initially provided the requestee with a certain formulation

12. Or, at times, the officer may suggest there is something wrong with the formulation, in which case the requestee may suggest another appropriately altered formulation to which the officer can agree.

as a solution to some problem. But the officer has nonetheless, 'let it be known' that some particular formulation would stand as an acceptable 'solution'.

Example:

A towtruck driver, who had hooked onto a ticketed car without authorization, asked the officer what he should do since they would not sign his town bill. (The city council has authorized towtruck drivers to tow vehicles ticketed for some specified offences, to their lot. In this instance the car was ticketed, but not for one of the specified offenses so no authorization for towing had been given.)

O: You know what I would do?

Driver: Put it back, and hope no one complains. (Phrasing not verbatim)

O: You said it, not me.

2) Following an interview with a male friend of a man who complained of being roughly treated by the bouncer in a bar, an officer stated:

O: His buddy said about as clearly as possible that he got what he deserved, without actually coming out and saying so.

By not "coming out and saying so"; that is, by not offering a formulation, the man was probably being diplomatic and trying to retain the friendship of the complainant. Again, the lack of a formulation does not imply resistance or opposition.

2-5

So far we have dealt with requested formulations, but a considerable number of formulations occur even though no request for a formulation was made. The following data presents some of the cases observed where voluntary formulations were critical to determining the trouble or problems the officers were facing.

1) A female youth being 'arrested' for assault by trespass, voluntarily asserted the following on two separate occasions:

Time 1 Y: No matter where I go the police have to find me.

Time 2 Y: No matter where I go the cops have to come.

These statements might have eased the officers' consciences if they had been 'worried' about being hard on a young female, but their more

important use was that they provided a start for some questioning about a previous occurrence. This further questioning resulted in the girl being summoned to appear for this offense on the same day, time, and place, as she was to appear for a previous similar offense.

2) When a drunk man asked the police to check on a 'seriously ill' female, whose apartment door was locked, the landlady who lived across the hall stated the following:

Landlady (to officer): He isn't registered.

Landlady (to man): I know what you are trying to do. You want them to break in so you can get in.

Following this, after the latch had been broken by the caretaker, the officers made a point of not letting the man into the apartment and made sure he left the property before they did. Even though the officers may never know if the landlady's formulation indicated what was really going on, they conducted their activity so as to avoid the particular possibility it suggested.

It is formulations of this nature that leave members feeling they have 'been exposed'. For the member trying to hide his course of activity (see section 2-6-1-2-2 for further discussion of this), another member's saying-in-so-many-words what that first member is doing, constitutes being discovered or 'being found out'. He now knows, that the other member knows, what he is doing.

It is those who do not succumb to this exposure, by 'admitting it', for instance, that are seen as being able to 'keep their cool' or who 'have a lot of gall'. That is, those who are able to maintain a course of activities that does not 'confirm' the expressed formulation by, for example, admitting it, or by modifying their activity in such a way that members, other than they themselves know such modifications were in response to the expressed formulation, are the members who can 'keep their

cool' or 'not fold-up under pressure'. This ability might be one of those that makes for the 'able criminals' Mack (1972) speaks of. He states: "The major skill they (the able criminals) have in common, over and above their special expertise, is that of keeping out of sight." (1972:10). This does not mean keeping physically out of sight, but rather out of 'mental sight', in the sense of not being known. The ability to handle being confronted with formulations such as the landlady's above, could be one of the abilities staying 'mentally out of sight' could consist of.

The drunk man in the above case remained silent throughout the period following the landlady's formulation. I was left wondering if he was an expert con-man or too drunk to realize what was going on! The fact that more than one possible course of activity can be made out for one physical display, leads us directly into the problem of multiple formulations which constitutes our next topic of concern.

2-6 Multiple Formulations.

So far we have spoken as if there were only one formulation for any given path or course of activity. This section is intended to present some of the complexities arising from the fact that this is not always the case.

2-6-1-1 Case 1: 1 path, 1 course, with more than one formulation:

In cases of this nature, one is confronted with different formulations, (that is, different sets of ordered words) that 'amount to the same thing'. For one activity that has occurred, there may be several sets of words a member can use to say-in-so-many-words what that activity was. That is, the course of activities remains the same even if the formulations differ because of the variations in the words used to do the formulation. Each is still a formulation in that each says-in-so-many-words what that course

of activity was. For example, after two officers had witnessed an on-view incident of a man masturbating at Jasper and 96 St., all of the following phrasings were used in formulations proffered to other officers who were, for example, in the cell blocks, while the officers were filling out the necessary arrest reports. He was: 1) "masturbating" 2) "jacking off" 3) "pulling his prick" 4) "pulling his pisser" 5) "beating his ham". The point is, that they are all different formulations relating to the same path and course of activity.

The same is true of the youth who stated both: "No matter where I go the police have to find me." and "No matter where I go the cops have to come." when referring to a previous incident with the police. The style of the formulations may be different (c.f. "cops" and "police"; "masturbate" and "jacking off") and this may be put to its own uses, (for example; seeing the youth as being insolent, or seeing that one style of speech is unbecoming to an officer), but there would seem to be no disagreement about their amounting to the same course of activities.

By noting that formulations are done for some time interval; that is, for a given and particular 'now' or 'then', etc., a second general type of 'formulations that amount to the same thing' (given one path and one course) becomes apparent. Members are attentive to the possibility that, for a formulation covering a certain time interval, it is often possible to proffer a number of subformulations, each covering a shorter time interval than that of the original formulation; that do not overlap temporally, and that fit together sequentially, so that this set of subformulations, taken as a set, 'amounts to the same thing' as the original formulation. This is so, even if the set of subformulations provides more detail. Furthermore, after having proffered a formulation, a member can be asked to provide an appropriate set of subformulations.

Example:

Officer investigating a hit and run accident (see Appendix I):

O: Was your car stopped when he talked to you?

M: He was behind me and he pulled me over.

O: How did he stop you?

This last question by the officer, requests M to specify one of the subformulations that would, when put together with other subformulations, amount to the same thing as the formulation M had just proffered.

These requests for subformulations that amount to the same thing as some original formulation, provide a tactic for 'breaking down someone's story'.¹³ The 'story teller' may not be able to proffer any subformulations or may proffer inappropriate or inconsistent ones.¹⁴

C.f. the continuation of the preceding example:

M: I thought it was the police.

O: Why did you think it was the police?

M: No. No. He said - what? -- thought it was the police.
(Underlining indicates voice emphasis.)

O: You're contradicting yourself.

In this case the inappropriateness of the subformulation "I thought it was the police" only led to a contradiction when M tried to change it. He presumably saw that his subformulation would be inappropriate. On what other grounds would he have reason to think it was the police if he had done nothing wrong? His attempt to remove this inappropriateness by chang-

13. 'Presenting one's story of an occurrence' is one of the things members can be doing when proffering formulations. For other uses of formulations see section 2-10.

14. For the sociologist, the specification of how members accomplish the seeing of 'inappropriateness' or 'inconsistencies' or 'incongruities' would seem of utmost concern.

ing his subformulation from "I thought" to "He said", results in a contradiction simply because he is now confronted with having offered both subformulations. It is of extreme interest that these two subformulations do not constitute a logical contradiction, yet at that time they still constituted a socially observable contradiction.

-6-1-2 Case 2: 1 path, more than one course, with different formulations.

In this case the differences in the formulations are 'real' differences. That is, members do not see the formulations as 'amounting to the same thing'. Two subsections of this case, one for possible alternate courses of activity, and one for simultaneously occurring real courses, will be presented in sections 2-6-1-2-1 and 2-6-1-2-2, respectively.

-6-1-2-1

Examples of Case 2 where the formulated courses of activity are possible courses.

That is, the members can proffer two or more formulations where, for the moment, they are unable to decide upon one as being 'real' and the other 'mistaken', and hence, for the moment, they have two formulations of courses of activity for only one path.

1) Following the confiscation of some liquor from a man in a parking lot of a downtown cafe, where he claimed to have bought it, an officer stated:

0: He might have been selling, not buying.

In this case the difference between the two courses, selling or buying, is important for legal reasons. What section of the Criminal Code someone could be charged under, and what the courts would accept as 'evidence' is involved. In particular, an exchange of money and the direction of this exchange would have to be proven. But, for the moment, which one it 'really' is, remains unknown as the officers had

not witnessed such an exchange and no one else seemed willing to claim to have witnessed such an exchange. In this case, 'the moment' might be said to be an infinitely long one, as no decision was ever arrived at.

The officers simply confiscated the liquor and sent the man on his way.

2) While two officers were talking to a girl who, soon afterwards, was 'arrested' for assault by trespass¹⁵, a male youth left the cafe in which the incident occurred, re-entered a moment later, and threw a quarter on the counter in front of the officers and the girl. A female companion of the-girl-later-arrested picked up the quarter and handed it back to the boy saying: "No, it's not that. Thanks."

From the physical display available to him, the young man had obviously been able to make out a course of activity that might be reported as 'someone being 'hassled' for not being able to pay for her drink', for which his action of providing a quarter would have been a 'solution'. As it was, this course of activity was one of the mistaken, though possible, courses of activity (as was attested to by his actions) that could be determined from that particular physical display. Moreover, for the arrested girl's female companion to respond as she did, she had to see firstly; that multiple courses of activity could be determined from a single path; secondly, that the male youth's actions were based on one of these courses; and, thirdly, that it was 'the wrong one'. The courses of activity were different enough that his 'solution' was not a 'solution' at all. Furthermore, neither of these courses of activity were formulated by either the female companion of the arrested girl, or the male youth who

15. The charge of assault by trespass arises from section 41.(2) of the Criminal Code which reads: "Defense of House or Real Property - Assault by trespasser". "41.(2) A trespasser who resists an attempt by a person who is in peaceable possession of a dwelling house or real property... to remove him, shall be deemed to commit an assault without justification or provocation." (Martin's Annual Criminal Code 1964:52) The phrase "assault by trespass" is intended to convey the fact that the case concerned arose from a complaint of trespassing, yet resulted in legal considerations of punishments etc., equivalent to assault cases.

left and re-entered the cafe, although it appears they could easily have been provided by one or both of them.

2-6-1-2-2

Examples of Case 2, where neither of the two courses derived from a path is a mistake. That is, two simultaneously occurring and equally correct courses of activity are made out from one physical display.

1) Upon entering a downtown discotheque one evening for a routine check, an officer was informed, by a man known to him as a bootlegger, where he might find a bottle of whiskey which another bootlegger had stashed away. The officer did the 'routine' search in the process of which he 'found' the bottle of whiskey in question. For the man who had offered the 'tip', the officer could have been seen as engaging in two courses of activity at once. Namely, doing the routine search and taking the tip. For the other persons present, who had not heard the tip-off, he was simply doing a routine search.

2) When the owner of the car in the hit and run case mentioned above (section 2-6-1-1 and see Appendix I), indicated that he could not find his glasses in his room, the officer present helped him look for them. It was a small room and the only places where the officer did in fact help him look were: in the closet, under the bed, and on and inside of the nightstand by the bed. It was obvious to me, but seemingly not so to the man, that the officer was simultaneously doing an 'unofficial search'.¹⁶ He was looking for the glasses, but also for whatever else he could find that may have been of importance to the investigation.¹⁷

These examples clearly illustrate that two different courses of activity can be associated with a single path. In both cases one of the two courses was a cover for the other. That is, by providing for one course

16. The fact that the man had been drinking and was probably tired would have made him more likely to miss: a) that the officer's gaze lingered too long on things that were easily seen not to be glasses. He was looking to see precisely what things were as opposed to noting they were not glasses; and b) that the officer looked in places where the glasses were unlikely to be found. These included a high shelf in the closet, at both the shoulder and cuff level of shirts hanging in the closet, and well back underneath the bed.

17. See Appendix I for a full transcript of this incident. From the transcript one can see that some of the miscellaneous, but important, things the officer could conceivably have found are: an antifreeze-stained jacket, shirt or pants; an extra set of car keys; and a lack of any alcohol, or containers that could have contained alcohol.

of activity, or one formulation of a course, the other course was thereby made less obvious. By 'helping the man look for his glasses', one officer covered his 'unofficial search'. By 'doing the routine search', another officer covered 'the taking of a tip-off'.

The effectiveness of such a covering tactic seems to depend on its being the case that only one course of activities, or formulation of a course of activities, is normally sought by members of society. This can perhaps be demonstrated by the strangeness of the following kind of request. If one asks "What are you doing?", a formulation of some course of activities is generally provided by the so-questioned member without that person showing evidence of surprise. If one then asked "What else are you doing?", one would expect a much greater proportion of responses which somehow express surprise.

Which course is used to cover which other course remains a matter of situationally sensitive ordering. This has the following relevance. In the above example, presumably the 'find the glasses' covered the 'search'. Consider the hypothetical case of an officer who had lost his glasses, and who had been kidded for losing his glasses on numerous previous occasions. He might implement an 'unofficial search' of some place in which he might have lost his glasses, as cover for 'finding his glasses'. This being done to avoid any further kidding. This hypothetical reversal of the 'covering' and 'covered' courses of activity found in the above example, shows that a course of one kind is not always used to cover a course of another kind. It is granted that members may, indeed, use courses of one kind more frequently to cover those of another kind; for example, 'helping find' as a cover for 'searching'. The point of note, however, is that members' competence with the covering of one course with another course

is required in both the frequent and the infrequent case.

It appears that one of the means of providing evidence of a member's covering of one course of activity with another course of activity is to provide a subformulation that is consistent with a formulation of the covered course of activity and inconsistent with the covering course of activity. This, then, is an indicator or evidence of such covering.

Example:

The police regularly use 'arresting someone' or 'checking someone out' as a cover for 'contacting an informer'. This even includes the 'faking' of talking on the radio, for the benefit of observers and the taking of a suspect's wallet to check the suspect's documentary identification.

The last half of the preceding sentence is false and was intended to illustrate the ease with which a detail is covered. The point has been made if the reader's attention was not attracted to the following:

The police department's "Policy and Procedures" book requires officers not to take a citizen's wallet when obtaining identification under normal circumstances. This is done to minimize charges of theft, etc. But wallets are taken in the case of informers because by taking an informer's wallet, an officer can then surreptitiously slip a sum of money into it for 'services rendered', thereby covering the visual display of the open exchange of money. The 'taking of someone's wallet' then becomes an indicator of 'contacting an informer' rather than 'checking someone out', for all who know of the above requirement.

The tactic of covering one course of activity by producing an approximation to the physical display of another course of activity is usable by anyone -- not only the police. Sacks' definition of "normal crime" as "that crime that is so managed within an area that those so engaged appear while so engaged as features of (the area's) normal appearance" (Sacks 18 1972b:288) seems to directly rely on this. This would include the case of the bankrobber who poses as a janitor during some part of his robbery

18. This definition of "normal crime" does not correspond with that of Sudnow 1965:260. Sudnow uses the term to mean "those occurrences whose typical features, for example, the ways they usually occur and the characteristics of persons who commit them..., are known and attended to by the (public defender)."

attempt. Another case would be the pawnshop proprietor who 'fences' stolen merchandise under the guise of being a legitimate businessman.

2-6-1-2-3 Sections 2-6-1-1 and 2-6-1-2 (above) provide that, for two non-identical formulations, the determination of whether they are 'different formulations of the same thing', or 'formulations of different things' can become problematic.

Example: Officer investigating a hit and run accident.

M: Someone -- a friend -- drove me home because it was steaming.
(The man's car had received a punctured radiator in the accident.)

O: His story has changed already. At first he wasn't driving.
(This last statement was made to me but was loud enough for M to hear. See Appendix I for complete transcript.)

Is the investigating officer in the above purposefully misinterpreting what M says - by stating M was 'driving' as opposed to 'riding' -- and thereby using questionable investigation techniques? Or, is he really just 'saying the same thing'? That is, would it stand as grounds for M appealing a 'confession' he later made, on the basis that the officer had confused him by purposefully misinterpreting what he, the motorist, had said?¹⁹

2-6-1-3 Case 3: more than one path, one course.

This is the case that sets up the use of 'again' or 'another'. For example: any number of physical displays can correspond to 'someone running a red light', or 'M. X complaining about noisy neighbors again'. It is this case that has instigated some philosophical discussions of 'type' and 'essences', but I will not discuss these problems here.²⁰

19. The arguable nature of the distinction between 'different formulations of the same thing' and 'formulations of different things' would also seem of prime importance in cases where someone contradicts himself, although I have no good examples to offer.

20. See the following for relevant discussions: Schutz 1970:63-64; Schutz 1971 Vol. 2:13,45; Goodman 1966:360-361; Parsons 1937:33,605-606; Weber 1949:90ff.

2-6-1-4 Case 4: more than one path, more than one course.

This case seems to have intuitive appeal, as one physical display being seen as someone doing X and another physical display being seen as someone else doing Y, but closer examination of this shows this discussion as having many of the same problems as section 2-6-1-3. They likewise will not be treated here for the same reasons. (Again see footnote 20.)

2-6-2 A special instance of Case 2 above, that of one path, and more than one course, is introduced by the addition of: a) different members proffering the formulations of the different courses, and b) the introduction of a 'neutral frame of reference'. That different members can proffer the two or more course formulations, seems obvious. The reason for the introduction of a 'neutral frame of reference', is not as obvious.

The following is intended to present the reason for the introduction of the neutral frame of reference.

The neutral frame of reference.

As specified above, (section 2-1), a path or physical display was a "pattern of machine recordable characteristics as received by an observer". Thus, with two members we should always have two paths, simply because of different spatial perspectives. Spatial differences would influence the machine recordings of light patterns, sounds, temperatures, etc., thereby necessarily producing two distinct paths or physical displays, as we have so far talked about them. A slight modification in this usage will be made to allow us to speak of members' insistence that they can talk about "the same thing". In this instance, the term 'path' will be used as a "pattern of machine readable characteristics as received by an observer" (which is necessarily perspectival as was seen above), as then operated upon to transform it into a physical display with a neutral frame of per-

spectivial reference; that is, to make it perspective-irrelevant. The operation that achieves perspective irrelevance is to be thought of here as an operation that provides temporal and 'inside knowledge' irrelevance as well. Members treat a path or physical display, in this modified sense, as not varying if: 1) the observer varies his spatial positioning; 2) the observer varies his temporal positioning (that is, looks at an object at some later time); 3) the observer varies his inside knowledge of the display; or 4) the observer varies combinations of 1 to 3 above. This is the sense indicated when members talk about 'the same thing', in spite of the fact that: a) for each member, what they are talking about was originally set up by an operation on one perspective, and b) each member had started from a different perspective.²¹ Furthermore, members use and are attentive to information about particular members' perspectives on this 'real world' (as the neutral frame of reference display is often called), as it was known from within by those members, in proceeding with their everyday affairs.²² In short, members can now speak about another member's perspective on the scene, or the same scene, as they are experi-

21. c.f. Schutz 1971:11-12 on "the reciprocity of perspectives". He states: "Common-sense thinking overcomes the differences in individual perspectives resulting from these factors by two basic idealizations: i) The idealization of the interchangeability of the standpoints.... ii) The idealization of the congruency of the systems of relevances." (1971:11-12)

22. c.f. Garfinkel 1967:40 on the world "as known from within". The point he makes is that, at times, the understanding of a conversation depends on the participating members being able to reconstruct 'what happened' as that 'happening' was known from within by one or more of the conversationalists. Conversations in which members discuss why they were not able to meet at some time and place, which at times end in conclusions such as 'I must have just missed you', seem to be classic instances of this.

encing (or did experience) from another perspective. It is no longer simply a matter of different formulations, but a matter of different formulations of a scene, etc.

The above presents the sense in which it can become problematic for a trouble discoverer, whether formulations proffered by different members concerning a single occurrence are the same, or different. Furthermore, if they are different, the determination of 'what really happened' can, itself, be problematic.

Example:

A man (M1) complained of being assaulted by a bouncer after having 'made a mistake' about the ownership of a \$20 bill. Another person (M2) claimed he, (M1), had 'tried to steal the \$20 bill and was, subsequently, thrown out'. Although the police report would contain both these 'stories' or formulations, the police had their own 'story' as to what had really happened. Namely, the man (M1) had tried to cheat the other man out of the \$20 bill, and had made up his story about the mistake later. The bouncer had gotten a little upset, but it had been a waiter who had struck the man. Neither man had mentioned the waiter, but the waiter had admitted striking the complainant.

The possibility of 'fabricated' formulations, as opposed to simple mistakes due to perspective, becomes a prime concern if the formulations differ. (c.f. the landlady -- male complainant difference in section 2-5 above). The neutral frame of reference-display allows the police, for example, to adopt a perspective that differs from one or both of the proffered formulation perspectives. See the example in the preceding paragraph.

2-6-2-1 The following statements suggest that the police actually expect different formulations:

- 1) Officer after having received a complaint of a man having been assaulted by a bouncer.

0: It's usually not as simple as it first sounds.

- 2) Officer, after having received a complaint of a man having been assaulted by a bouncer.

O: When you hear the one side of it, it sounds like the other guy (was completely at fault) -- bracketed portion paraphrased.

2-6-2-2 Furthermore, policemen routinely request separate formulations from different members who were found attending to the same incident. This usually has the effect of making differences in different members' formulations pointedly clear.²³

For example:

- 1) Officer during the investigation of a traffic accident.

O: Tell me what happened. (Directing his question to one driver) Later

O: O.K. Now you tell me what happened. (Directing his question to the other driver).

- 2) Officer during investigation of a minor, on-view tussle where the two persons involved were threatening charges and counter-charges of assault.

O: O.K. John, you tell me what happened first.²⁴

Requests for separate formulations has the added result of curtailing heated arguments simply because only one person is speaking at a time. For the police, the boisterousness of an argument is often the 'cause for complaint', not only a symptom. Once the arguing has subsided the 'troubles' the police are concerned with are often terminated. The rest is seen as being up to a judge, family counsellor, etc.

23. It is not only that the officers can make out differences in the separate formulations, but the members proffering the formulations seem to make a point of stressing what to them are the differences in the formulations.

24. The ambiguity of the term "first" as being 'first in a sequence of events' or 'the first of two speakers' is irrelevant to this example. The preceding portion of the statement has insured that John, one of the persons involved, is to be the next speaker. He, at least, is being asked to independently offer a formulation of what happened.

Obtaining a single agreed-upon formulation is often one means members use to recognize the end of a field investigation.

For example:

Officer, to man who complained of a theft, after being given a hotel-room key for no money, and then being told by the desk clerk that the room was already occupied.

O: You found a lost key and turned it in. Right?

M: Well. Right. (Hesitantly)

The nature of a possible 'followup' remains open. That is, it may be followed by legal action, or it may simply be dropped, as there may be nothing that makes it illegal, as in the above case. If the man had insisted on his formulation of the incident as being a 'theft', further police involvement would have been required, even if it was to try to persuade the man that it was not, indeed, a 'theft'.

Though not all incidents can be concluded with the officers reporting a single formulation, attempts seem to be made to make as many as possible reportable in this way. One tactic used is for officers to wait until after all the persons involved in an incident have left, and then to write up their report as they see fit.

For example:

In investigating a traffic accident two inebriated witnesses in one vehicle had given an officer drastically different stories. (They were also suspected of giving false names.) When the officer wrote up the report he reported one formulation and added that the 'witnesses concurred'.

Although I have no proof of it, I suspect purposeful manipulation of formulations, in such a fashion as to make things appear as though nothing, or only certain aspects of something were illegal, is a major part of how officers proceed to simplify what has to be done in any given case.²⁵

25. c.f. Turner 1969 on demand characteristics. He makes the point that part of the policemen's job, as they practice it, is to appear to the public as being ready, willing, and able to handle all those situations

(continued)

This includes the avoidance of formulating.

Purposeful 'forgetting to mention things' would fall under this, but proof is difficult. The following may be examples.

1) Two officers had 'conveniently' forgotten a female had said she had been in a bar all evening, before returning home to find her house on fire, when she later reported her age as 17.

2) During the investigation of a fight between a man and a woman in a parking lot, the female walked over to a parked car beside which the fight had taken place, took an open bottle of beer off the front fender where it had been lodged, and threw it into the snow. The officers present did not reprimand her or even mention the incident later. In short, it made things simpler, as any legal action seemed doomed to failure, even if the female might have been said to have been in "illegal possession" of alcohol.

2-7 In section 2-3-1 it was noted that a formulation of a course of activities normally is requested following the police being dispatched to some location. There are times at which a formulation request is not the first thing that occurs, even if it occurs very soon afterwards. Furthermore, these times seem associated with certain types of calls.

2-7-1 For example:

Two officers were dispatched to a "family fight" complaint, at which it had been indicated to the police that there was an injured person. In this case the doors to the house were open and as the officers approached they could see a man standing over another man lying on the floor.

O: Hello.²⁶ (pause) What do you want?

25. Continued

the police are reputedly supposed to be able to take care of. In practice, it may not be possible for them to handle some situations, because of any of a number of characteristics they see as demanding precedence, or as governing their activity. My point is that one of the ways in which an officer can appear to be doing all that is necessary, or required is for the officer to proffer a formulation that suggests the part of the situation that can be handled, is the only part that really needs to be handled.

26. This was the only time I heard an officer begin a dispatched call by saying 'hello'.

This style of introduction seems to allow the officers to see how the people are going to react to their presence. Family fights have a reputation among officers for being dangerous. Most officers do not even stand in front of doors when they approach houses on family-fight calls, simply to avoid the possibility of being struck by a firearm being discharged through the door. In the above case, the officers stood well to either side of the doorway, outside the porch, outside the house, down the steps and halfway across the lawn, while one officer called "Hello. What do you want?".

Family fights, however, are at times approached with requests for formulations (see 2-3-1 above). It is more a matter that family fights are more likely to be approached in other ways.

2-7-2 Another type of dispatched call not approached with formulation requests are "mental cases".

For example:

When a dispatcher puts out a general report that a man had left the General Hospital with no shoes or shirt and was heading for the High Level Bridge, the police, on arrival, approach two civilians who were just leaving the bridge and were informed that he was being ushered off the other end of the bridge by a group of people. The officers waited until the group came off the bridge and then approached the man in the following way.

O: Good evening matey. Like to come over and talk to us?

2-8 Some Further Notes on Aspects of Police Use of Courses of Activity and Formulations.

2-8-1 Courses of activity and their formulations, which are seen as 'trouble' by the police, are courses or formulations, the content of which relates to what others²⁷ are up to. That is, police do not include themselves within

27. This generally means persons other than on-duty police officers, but it can be as specific as persons other than the officer doing the formulating of the 'troubles'. For example, in the case of an on-duty officer who (continued)

their formulations of courses of activity that are seen as trouble. They request formulations of 'what he/she is doing', 'what they are doing', 'what you are doing', but not of 'what we, meaning themselves plus some observed members, are doing'. See section 2-3 above for examples.

It is the 'others' courses of activity that are the trouble or concern to officers, but they are of concern as courses of activity the officer must take care of, handle, process, or otherwise dispose of. What the others are up to is seen as trouble in the light of the officer's practical organizational constraints and objectives. The officer sees what the others are doing in terms of the legal-justice system as he, from his particular position within the system, knows it to operate in practice. In particular, he sees the courses of activity that are the trouble, in terms of:²⁸

- What the courts could, and would take legal action on. What could be presented as evidence to such courts?
- Can the evidence be secured?
 - a) Can the officer get physical evidence?
 - b) If the aid of more officers is required to do so, can it be obtained fast enough?
 - c) If it is physical evidence, and if it is secured, could laboratory techniques identify it? For example: Is there 'enough' for testing purposes?
 - d) How would the 'others' react? (c.f. section 3-3-3#2 on false identifications, and section 2-4-3 on lack of formulations)
 - e) Who could the officer get to 'tell it to a judge'?

27. Continued.

discovered the tapedeck from his own private car had been stolen, this officer became an 'other' to the policeman in another police car who was called to file a report of the theft.

28. The considerations that follow would seem to be part of the process Kitsuse and Cicourel 1963:134-135 are concerned with when they state: "We suggest that the question of the theoretical significance of the official statistics can be rephrased by shifting the focus of investigation from the processes by which certain forms of behavior are socially and culturally generated to the processes by which rates of deviant behavior are produced." (emphasis in original).

- Other legal considerations.

- a) Would a particularly vague, and difficult to interpret, or prove section of the Criminal Code have to be used?
- b) Does the law require a summons or could the officer arrest? (c.f. the officer's problem in section 3-3-3#2 on names and summonses)
- c) Does new and not fully operationally clarified legislation apply? (For example: While I was patrolling, changes in car insurance regulations and the introduction of the Bail Reform Act in the spring of 1972, required special attention until the officers had become acquainted with the new procedures.)
- d) What legal loop-holes would the officer create by acting as he would have to act to bring the case to court?

- What are the alternatives?

Ignore it? Who is watching, and what would they do? Perhaps a little immediate physical justice? Who is it, and how would they react? Who is watching, and how would they react? Has the officer received a reprimand for anything else lately? What particular superiors are on duty, and how would they react if they "got wind of it"?

- What else would have to be done?

How long would it take? Would it interfere with contacting an informer at a specified time, being in on a raid, or getting off duty at the right time?

Consider the instance the case of the man who made an illegal right turn, and who, after being stopped, turned out to have left his driver's license and registration at home in his other pants when he had showered and changed before coming out driving. The officer did not give the man a ticket for the illegal turn, because he would also have had to have given him two more tickets; one each for no driver's license, and no registration. This was so, because the ticket for the illegal turn would have required information from these documents, and the absence of this information would have required explanation. As the man seemed cooperative, looked as if he had just had a shower, and seemed a reasonably solid citizen, the officer simply warned the man and had him park his car and take a taxi home to get the documents. The alternative of giving the man all three tickets did not appeal to the officer either, as he thought approximately sixty dollars worth of tickets was too high a price for an honest mistake.

- What is at stake?

Would it be a great accomplishment if the officer did bring it off?

As far as the officers are concerned the above are organizational constraints on the handling of trouble: they are not part of the trouble itself. As far as the sociologist is concerned, formal organizational

constraints must be considered as part of the discussion of trouble, itself, as their consideration is part of what is going on when an officer is faced with members courses of activities he must handle in some way. For the sociologist there is an important sense in which 'what the trouble is' is what the discovering member can and does make of it. It is the consideration of the word "convincing" in the phrase 'the convincing of relevant others of the necessity for repairing some certain situation', as part of a sociological discussion of trouble, that warrants the rather lengthy presentation of 'constraints' in the preceeding portion of this section.

To make this issue even clearer, we present a list of few of the many instances where practical organization constraints have already been introduced as background material in the preceding discussions.

- 1) The tactic of formulating things in such a way as "to make things appear as though nothing, or only certain aspects of something, was illegal", as presented in section 2-6-3, is one instance.
- 2) In section 2-6-1-2-1 the legal difference between "buying" and "selling" alcohol is another example of police concerns with practical organizational constraints.
and
- 3) In section 2-4-3#2 on how officers 'give advice' without saying in-so-many-words what someone should do, we encounter an adaptation to the organizational constraint that officers are required not to give legal advice.

Over the years, officers have exercised considerable inventiveness in developing ways of circumventing existing organizational constraints, and

it becomes part of a rookie's on-the-job training to learn these tricks-of-the-trade. Indeed, the efficiency of the police department seems to hinge on the officers' effective use of the thousands of situationally employed tactics for circumventing formal organizational constraints.²⁹ These include everything from ways to present a good image while on the witness stand, to knowing that, and how, a carbon in multi-sheet official documents can be folded back to allow specific notations to be made only on specific copies.

Officers do engage in discussions of such matters by way of: trying to develop new tricks-of-the-trade; trying to modify old ones, or see if there is an old one, to fit a particular set of circumstances; or simply commenting in a summary way (that is, without specifically pointing out all the particulars) on whether they see themselves as being able to effectively handle, or have effectively handled, a specific case.

Formulations of such matters include officers within the content of the formulation, and this leads us directly into the consideration raised in the next section.

2-8-2 Formulations including officers within their content include only officers and are offered when officers are separated from the general public. This separation can be achieved by the officers stepping away from a group of civilians before talking to one another, by going into the police

29. The police department, as an organization that exists in practice, is being intentionally portrayed as being systematically different than the organization charts and job specifications as found in manuals, which are normally thought of as being descriptive of organizations. This is in line with Bittner (1965) who suggests such formal organizational designs be considered as conditions of practical day-to-day activity of the organization members, rather than sociological descriptions of the organization.

car and then discussing something, or by waiting until others have left the area. One generally does not find formulations in which what the officers are doing and what others are, or were, doing are mixed within one formulation. This is so even though a formulation about what the others are doing, and a formulation of what the officers are doing often follow one another. (See example 3 below where formulations with "I" and "he" alternate in one sentence, but no formulation contains "we" as meaning 'police officer and suspect together'.) I have termed the separate groupings that officers form, or natural separations they exploit while discussing, or trying to discuss, or in order to discuss the propriety of how they should proceed, or should have proceeded with the case under investigation, a huddle. I know of no huddles that occurred in which a formulation was neither requested or proffered about what the officers³⁰ should, could, or were attempting to do. That is, discussions of this nature seem to demand the use of 'we-formulations'.

Three examples of huddles follow. Note that in all the examples, references to members whose course of activity is the trouble are made in such a way that those members are seen as resistances to be overcome, as 'objects' to be acted upon, or as persons 'to be taken care of'. The troublers are depicted as 'objects', receptors, or persons subjected to the officers' actions, and, as such, are removed as possible persons in-

30. As an observer, after I had noted huddles occurred, I was able to make myself part of such huddles in terms of spatial proximity to the officers. I did not take part in the conversations that occurred as I did not have the requisite background knowledge to do so. Even in the cases where I could have taken part, I did not, as to do so seemed as though it would destroy my rapport by turning me from an 'observer' into a 'meddler' in the eyes of the officers. Rapport always seemed to be further established by my 'listening in' on huddles, and simultaneously, the obvious 'listening in' seemed to me to be a test of rapport.

tended by the word 'we' in formulations proffered by officers that say-in-so-many-words-what-we-are-up-to.

1) When a man left a police car to get his vehicle registration documents from his own car, after having been stopped for going through a red light, the following ensued:

01 (to partner): He's been drinking, but he's pretty steady on his feet.

: There's no way we could get him.

02: He'd probably blow good. (Meaning: on the breathalyzer).

01: Yeah, and he's a pretty big fella.

2) Officers walking back to their car after a family-fight complaint:

01: She's going to be trouble all night.

02: What do you suggest we do? (end of conversation)

3) Officers, back in their car, after having talked to a man about his erratic driving -- the man was trying to eat a hamburger and drive at the same time:

01: He's going to stay and finish his lunch. (The officer could see that the man did not appear to be moving from where he had stopped.)

02: That guy is good for careless driving. (Meaning: We could successfully charge him with careless driving.)

: I thought he was going to take off when I put the (red flashing) light on, the way he accelerated. (pause) I even expected him to fall out of the car. (Meaning: I thought we would smell alcohol on his breath and have to ask him to step out of his car for some sobriety tests, at which point he would fall, in trying to get out of his car, because he was too drunk to even stand up.)

01: Did you see the coffee on the dash?

02: No.

01: He had it stuck on the dash. If it falls out and hits him in the nuts he'll do some fancy driving!

When not involved in investigating a case, other uses of formulations containing 'we', that is: 'we officers', occur. For example: 'We might as well go for coffee.' 'We'll be off for equipment repair for about half an hour.' (Said from a car to the dispatcher.) These formulations, however, manifest the distinctions drawn at the beginning of this section.

2-9 The term "formulation" has been used so far to refer to 'formulations of courses of activity'. But, as suggested by Garfinkel and Sacks

(1970:351), there are several other entities; such as, who we are, where we are, etc., which one can formulate by saying-in-so-many-words. This section is intended to introduce formulations of several of these other features and show some of their specific relationships to the discovery of trouble.

2-9-1 Time Formulations.

Officers often request time formulations by questions such as: "What time is it?", "When did that happen?", "What time was it then?", "What time did you come in last night?", "How long did that take?", and "How long ago was that?". Appropriate time formulations, as replies, would include '2 a.m.', 'Half an hour ago.' and 'It took about two minutes.'³¹ For the trouble discoverer, a request for a time formulation allows for four basic ways of arriving at members' courses of activity -- which are still the trouble discoverer's prime concern.

1) If an appropriate time formulation is proffered in reply, the officer then knows: a) that the member can tell the time, and b) is cooperative enough to tell him the time. The first of these is regularly used as a check for intoxication. A person can be so intoxicated he is unable to remember the time, or so intoxicated as to have lost his sense of the passage of time, or, perhaps, too intoxicated to even read it from his watch. The second really depends on a time being reasonably, promptly proffered. If the person replies 'What for? You've got a watch.' he would usually be seen as being uncooperative.

2) It allows for the 'fixing' of times or the sequencing of events. In the case of the hit and run driver, for example, (see Appendix I) it was important whether he claimed to have arrived home before, or after the time of the accident.

31. These are hypothetical examples of time formulations.

3) It can provide instances of 'lost' or 'unaccounted for' time.³² If a member claimed to have done a series of things and the times did not correspond to the usual time it takes to do those things, or if other known 'fixed' times, such as bank or bar closing times, did not 'fit in', the trouble discoverer can then probe these areas by asking questions such as 'What else happened between your doing X and your doing Y?', or 'Why did that take so long?'. In such cases, time is being used as a period or duration.

4) The supplying of a inappropriate or inadequate time formulation, or too long a hesitation before giving a time formulation, can be used as an indication that the member concerned did not know this detail or had 'made it up'. That is, the simple request for a time formulation (that is: asking for one kind of detail), can be a tactic used to discover whether or not the member is 'making up a story'.

Further, the inappropriate or unusual selection of a time category from the collection referred to by such terms as seconds, minutes, hours, days, and weeks, for a formulation, can be seen by members as evidence of incompetence, devious motivation, and the like. For example, while investigating an assault complaint, if an officer were to ask 'When did this happen?' and received a reply of 'A year ago.', he would undoubtedly begin to ask himself what the complainant was up to.

32. The notion of 'unaccounted for time' is to be contrasted with 'unaccountable for time'. One must not unthinkingly assume it is either extremes of very long, or very short temporal durations that make for unaccountableness. 'Unaccountable for time' is more a result of members accounting practices and what constitutes a situatedly acceptable account, than a result of extremes of temporal duration.

The uses to which the request for a time formulation will be put can also remain 'open' at the time of the questioning. (See section 3 on "retrospection-prospection", and in particular section 3-3-5#2 on "sometimes tactics".)

2-9-2 Space Formulations.

It will be useful here to discuss space, or place, formulations starting from formulations of larger areas and then moving toward formulations of smaller areas. Note that: a) again courses of activity are the major interest, and b) space-time combinations are of great import for a discussion of courses of activity associated with place formulations.

1) Regions or Sectors

For the police the city is broken into regions or sectors basically according to the general types of activity that do, or can, go on in the region. These general types of activity usually follow a daily cycle such as the following: For the downtown sector the daily cycle is the business routine, with subsections of the morning, noon, and evening rush hours. Then comes the early evening entertainment, movies especially, and then the late-night-early-morning entertainment. This breakdown motivates several comments.

a) This cycle changes depending on the particular day of the week one considers. For example, closing times are different on Mondays than on Thursdays; Fridays and Saturdays have heavier attendance of evening entertainment; and there are no 'regular business hours' on Sundays. Moreover, the weather can change the cycle.

It is seen that flexibility would remain in this schema -- whatever the exact content of any particular officer's schema -- when one realizes one could always suggest more and more 'exception-creating-features' that were

not as yet within the categorization schema. The reader might feel, for example, that my use of "the business routine" above was too vague and requires clearer specification of appropriate types of personnel such as shoppers, shop keepers, office personnel, and tourists, or one might critically point to my statement that "there are no 'regular business hours' on Sundays". Indeed, there are regular business hours for some theaters, cafes, drive in restaurants, service stations, hotels, libraries, fire halls, police stations, public utility crews, and transportation (bus, train and taxi) systems. One might even claim phone booths, mail boxes, and 'night deposit' boxes at banks, constitute a sense of 'regular business hours'.

Since classification schemas, as used in practice, can always have further exception-creating features pointed out, it seems a reasonable conclusion would be that such schemas are not used by members in a direct 'one-to-one correspondence' way. Their essential incompleteness makes this impossible.

That this is an essential incompleteness must be emphasized. It is not that by 'trying harder' (for example: taking more time, being more explicit) one could remove the incompleteness. One could always be pressed to include more and more and more.

Yet members do function with all their intricate precision, with classification schemas that have such demonstrably fuzzy edges. It is precisely this ability to accomplish demonstrable certainty, exactitude, precision, and unequivocal results, by using (or by means that incorporate the use of) such essentially incomplete schemas, that constitutes the work of being a member of society.

For competent members, on any given occasion, the essential incompleteness of such schemas is both encountered and, simultaneously, adequately overcome by the notion that, for the purposes of those members, given their practical circumstances, enough-is-enough.^{31a} Things reach a 'point' where nothing more need be added, though it still seems that more could be added. Indeed, if more was to be added, when the 'point' of enough-being-enough had been reached, it would be seen as a sign of incompetence, incongruence, and the like.

Theoretically, it is this ability to handle 'fuzzy' schemas that deserves attention, not what variables one can introduce to push the fuzziness one step further back. The remedy is not in 'ever fuller classification', but in some, as yet unspecifiable method, by which members of society handle such essentially fuzzy schemas.

My discussion here has gradually shifted away from talking only about the police, and it is of considerable import that it has. It is not only the specific classification schema under discussion here that is essentially incomplete, nor is it only classification schemas which the police develop that are essentially incomplete. All classification schemas can be demonstrated to contain essential incompleteness simply by pressing for more or ever clearer expositions. Indeed, it is not only classification schemas that are essentially incomplete. Each and every occurrence of explanations, accounts, descriptions, reports, and even the understanding of assertions, exclamations, etc. are accomplished despite the contingency of essential incompleteness. Any specific assertion, exclamation, question, report, or

31a. See Garfinkel's comments on "enough-is-enough" in Hill and Crittenden 1968:209. This term was originally coined by Harvey Sacks. See also Shutz 1971 Volumes I and II on "sufficient for all practical purposes". (For example, Volume 1:12).

explanation can be pressed for a clearer or fuller exposition.

It is important that this generalization, beyond the specific context of the police force, be made as: a) it provides one instance where it can be shown that the competence of trouble discoverers corresponds with the competence of other members of society, and b) it establishes a consideration of how members are able to achieve a state of demonstrable and acceptable certainty, clarity, and exactitude despite the contingency of such essential incompleteness, as a topic of general sociological interest.

b) Though there are courses of activity involved in this schema, for example going to the movies, the schema, as spelled out by me above, and as used by the officers, seemed concerned with typical courses of activity rather than actual individual's courses of activity. This contrasts with the formulation of places as locations (see number 3 below) where the related courses of activity are specific individual's courses of activity.

c) General styles of response follow the general cycles of activity. For example, during the business part of the day, the downtown police car patrol is generally oriented toward traffic offenses. The style of response can also be oriented toward misuses that occur during the cycles, such as patrolling industrial areas at night for possible break and entries.

Other regions commonly used include Outlying Areas, Industrial Areas, The North Side, The South Side, and Jasper Place. These regions also have administrative uses, such as for assigning cars to certain patrol districts and also for assigning cars to particular cases.

For example:

In the following a dispatcher is trying to assign a particular 'downtown' case. These are often accidents, which officers try to avoid being dispatched to because of the relatively large amount of paperwork involved.

Dispatcher: Any car free downtown. (Instead of the usual district number used in assigning cases.)

O: The old "any car free downtown" trick. (O was in the downtown area, but uttered the above remark without picking up, and hence activating, his radio mike.)

One should not conclude that these regions have fixed boundaries.

Regions 'blacked-out' due to power failures, are regions that have boundaries that are open to discovery each time a black-out occurs. These areas are closely watched for 'snatch and runs' that occur while the alarm systems are off, so they do constitute regions in which specific activities occur, yet they are notoriously unpredictable regions.

One case of a specific tactic that is applicable in certain regions is what I call the "three car tail". In outlying areas, in the early morning hours when there is little traffic, three police cars will begin to alternately tail a car that is not known as a 'regular' in the area. Each car follows for a while and then 'drops off' only to have another car take up the 'tailing'. If the driver of the car was engaged in some form of illicit activities, he may panic and run, giving the officers both a reason to be suspicious and, simultaneously, a reason to stop the person. This is only used in outlying areas, because the persons normally around such places at those early hours are "known", and irregulars can be picked out to be tailed. In the downtown area, even very early in the morning, there is enough traffic that it is difficult to get to know all the "regulars"; therefore, the officers would be likely to waste considerable amounts of their time following what they term "alright types".

Naturally a certain number of "alright types" would be tailed even in the outlying areas. Persons with especially high likelihood of this should include: a) regulars who have just bought new cars, 2) regulars who have

just changed their routine, for example by going on shift work, 3) regulars who for some reason have not as yet become known as regulars, and 4) new arrivals in the area, who have not as yet had time to establish themselves as regulars. One of the ways it would seem possible for a 'new arrival' to establish himself as a regular would be for him to be tailed a few times, without running.

2) Areas

"Areas" -- is intended to include: playgrounds, shopping centers, parks, parking lots, back alleys, etc. Here also, the notion of favorite misuses is of importance.³³ Indeed, it can become of such importance that the misuse becomes a way of formulating the area. For example, one evening, when the police car I was in was on its way to assist another police car, and I asked in which area that other car was to be found, I received the following formulation as a reply: O: "Where the Indians go to make love". Obviously, this was one of the favorite misuses the officer associated with an approximately two acre wooded area along the river bank, where the other police car was found.

The same seems to hold for: back alleys, as places to hide such things as alcohol and stolen property; playgrounds and school yards, as places one finds child molesters; and picnic areas, as places officers have to warn the "average Joe" to "at least keep his beer out of sight" on Sunday afternoons.

3) Locations

These are generally numbered buildings such as 10305-103 St., or street

33. See the following sections for other discussions of favorite misuses: 2-2-d, 2-9-2#1, 2-9-2-#2, 2-9-2-#3 and 2-9-2#4. It should be pointed out that these favorite misuses are misuses-as-seen-by-the-police, and that these misuses may or may not correspond to what other persons see as misuses.

intersections such as 101 Street and Jasper. These are the formulations of the shops that are known, the residences of known persons, the locations of particular past events, the places officers can be sent to when assigned a case, and the usual ways officers report their locations if requested to do so.

Here also, favorite misuses of locations are of concern. The downtown discotheques are places to sell, buy, and consume bootlegged alcohol or pills, as well as places to pick up prostitutes. Junk shops and surplus stores are places that buy stolen goods. Banks and places that sell any form of merchandise are places to break into. Apartments are places where noisy parties can be held,³⁴ hotels and apartment blocks³⁵ are places where prostitutes 'service their clients'. Various other places are the hangouts of miscellaneous groups to "keep an eye on" because of their "known" activities.

This aspect of the schema is fuzzy and open to modification by the addition of further variables, as was that mentioned and discussed in section 2-9-2#1, above. For example, it is not only the house of a known car thief that is carefully watched, but it is an area around his house that is within walking distance that is watched. This is arrived at from the following

34. Though noisy parties can also be held in houses, complaints that bring the police to the scene do not occur as often in such cases. This is because the bothersome sounds do not travel from one house to another with anywhere near the ease with which they travel from one apartment to an adjoining apartment. Since my patrolling was basically centered on the downtown area, I am not able to discuss changes in party complaints that occur in different regions of the city.

35. Even specific apartments, as opposed to apartment blocks, are sometimes known in this regard.

course of activities. If someone steals a car to ride home in, or uses it for some purpose and then rides home in it, he is unlikely to park it in front of his house, or to park it outside walking distance where he would have to take a bus or taxi home. It is simplest, then, for him to park it within walking distance. This defines a very irregular area that can move when an individual moves, and yet does not fit easily into the classification schema. The address of a known prostitute, however, is treated in quite a different fashion. It is simply the house or apartment, that is of interest in this case. If the room layout of the house or apartment is known, interest may even be further focused in the case of prostitutes. Kitchens, storage rooms, and unfinished basements are of no particular concern. For other courses of activity, such rooms would be of prime concern. For example, storage rooms and unfinished basements are places where larger quantities of stolen goods can be hidden.

Another example of this fuzziness is the automobile. It hardly fits the schema presented here yet it has an identifiable number, a provincial government license number, and it has a location at any given time, even if it is not a fixed location. It also has an accompanying set of favorite misuses.

This is not intended to fault either this, or any other classification schema. It is intended to point out that any account of trouble discovering must recognize that a feature of the normally functioning trouble discoverer's activity is the ability to work from such specifically open schemas.³⁶ That is, any attempt to discuss or simulate trouble discovering

36. Schutz' (1971) notion of "open horizons" -- both "inner" and "outer" -- is relevant to all my discussions of the openness or fuzziness of schemas. See especially Schutz 1971 Volume 1: 7-10, 107-109. Dreyfus (1972) stands as a guide to the massive and varied ways in which this problem is encountered in one aspect of on-going research.

activity in terms of completely specified categorization schemas, spatial or otherwise, where the trouble discovery is claimed as being a direct one-to-one response to classification, contains an inherent and massively pervasive dissimilarity with the way members actually proceed. Similarly, attempts to describe trouble discovering practices by 'clarifying' the categorization schemas used, would be inherently incorrect. The problem is rather one of trying to describe how members handle these schemas without their doing such clarifications. (Section 3 on retrospection-prospection provides one approach to this.)

An interesting example here of how the choice of a particular location formulation can provide for a course of activities, in this case the course of activities of two policemen, is the following:

When a police car's location is requested by the dispatcher or an officer in another car, the officers in the car that receives such a request, generally reply with a formulation that includes a street and avenue intersection. For example, 109 St. and Jasper. From the formulation offered in reply in the following conversation, it was determined that the two cars were 'working together on some assignment'. That is, from how the officer in Car-2 formulated his location,³⁷ a hearer can develop some reasonably clear idea of what is going on.

Car-1: What's your 10-20? ("10-20" is the police code for location".)

Car-2: The apartments just behind the Safeway.

The close relationship between courses of activity and locations at certain times must be emphasized.³⁸ Being inside a bank or in a service

37. Schegloff 1972 provides a detailed study of place formulations. In particular, see his discussions of the relationships between location formulations and the hearer's and speaker's a) locations, b) membership categories, and c) topic of conversation.

38. Sacks 1972b:286 makes the point this way. "What is normal for a place is normal for the place at a time. The meaning of an event to the policeman at a place depends on the time it occurs. The time at which it occurs is furthermore a matter of an overlapping and changing group of cycles".

station, itself, does not provide a course of activity that is to be closely attended to, unless it happens to be after closing hours. This is why one gets comments such as "That guy had better be a caretaker.", when an officer spotted a man in a bank late one evening. Caretakers are one type of person who can legitimately be found in banks late in the evening.

The course of activities suggested by the location-time pair of a light being on in the back room of a bakery at 5 a.m., similarly, is something for a trouble discoverer to attend to. In this case, two officers, entering the back door with drawn guns, somewhat startled a baker who was baking the goods he would be selling that day.

It should be noted, however, that not all courses of activity are of interest simply because of location-time pairing. For example, a man urinating at 103 Avenue 97 Street is just as attention demanding at 3 p.m. as it is at 3 a.m. At 3 p.m. there may be more pressure on the officers to take immediate corrective action, than there would be at 3 a.m., due to differences in the number and type of citizens in the streets, but such an incident would not be the kind of thing an officer would miss or fail to have his attention drawn to at either time.

Arguments similar to the above can also be made for season-location pairs.

4) Positions

This category is generally intended to include all areas smaller than are indicated in 3) above. These can be rooms, such as in the kitchen, on the stage, in the bar; or parts of rooms, such as at the door, by the wall, in the closet, on the floor; or fixtures such as, in bed, by the bar, at the till; or even not associated with rooms, for example, on the ground, in the puddle, in the trunk, under the hood, or under the blanket. Trouble

discoverers must see these places in terms of the courses of activity that entail their favorite misuses, just as in the preceding sections. (Sections 2-9-2#1 to #3)

For example, most of the locations mentioned above can be used as places to hide such things as stolen goods and illegal substances. Particular rooms, such as public restrooms, are places where sexual offenses can occur. Particular fixture-related activities provide opportunities for certain crime-associated acts to be undertaken. Open purses at tills allow a purse snatcher to check out what kind of 'haul' he might expect. A man standing at a urinal in a public restroom is in a perfect place for two or more persons to rob him -- one can hold him while the other searches, and both are likely to be able to escape without their faces even being seen.³⁹ This is especially true of the small, poorly mirrored and poorly lit restrooms of the downtown discotheques and cafes. Late at night a newcomer can be robbed and sent sprawling to the floor by a cuff to the side of the head, while the robbers quietly exit and disappear into their crowd of 'friends' in another nearby cafe or discotheque.

It should be quite apparent by now that the type of trouble one is attempting to discover will dictate the spaces, in any of the above categories, scrutinized. These places may be more or less well known, more or less easily observed, etc., but they still all require that the observer sees both the people and those spaces in terms of courses of activity.

39. A man standing at a wash-basin is not as good a target as he can still see faces in the mirrors, which, however small they are, are generally placed over the wash-basin. The urinal provides a further advantage in that it leaves the victim in a state of partial undress, which must be rectified before he can exit from the restroom to obtain aid.

2-9-3 Who Formulations.

Requests such as "What's your name?", "Who are you?", "Who did you buy it from?",⁴⁰ and "Who did you buy it for?", are obvious request for name formulations. The proper names⁴¹ proffered in reply stand as formulations, that is: saying-in-so-many-words; who I am, you are, he was, etc. (See section 3-3 on identifications).

Formulations concerning who someone is, can also be done in terms of the positions one holds. For example, other adequate formulation replies include "I'm - the desk clerk, the owner of that car, the store detective, the bouncer, the night watchman, a reporter, etc.", or "He is - the key holder, the complainant, the manager, etc.". Identifications done in this way are usually followed by specific requests for identification by proper name, for example, "What's your name?, if the identification is to be reported, or if it is to be entered on any file listing.

-9-4 How Formulations.

Likewise one can request and receive formulations of how things are or were done. For example:

Requests

How did you get in?
How did he stop you? (See Appendix I)
How did it happen?

40. This question was being asked of a man found illegally consuming alcohol in public, late one evening. He claimed he had bought it in a downtown cafe.

41. 'Proper names', a part of ordinary grammar (c.f. Hodges 1962:464) is one of several features of ordinary language usage, taken over over in this thesis simply because of the necessity of talking about things in ways that can be understood and because particular, usable alternatives do not appear to be available. A second notable incorporation would appear to be the term 'activity' or 'action'. What an alternative to this ordinarily used term would be, is by no means apparent.

Formulations

I broke in through the plastic in the front door.
He jumped me from behind.

2-9-5 How-many, How-much Formulations.

One can also request and receive formulations of "how-many" and "how-much".

Requests

How many times did he hit you?
How many children were in the house?
How many (keys) have you got? (See Appendix I)
How much (money did you get)?

Formulations

Three times.
Two.
\$6.00

2-9-6 What Formulations.

Trouble discoverers even request and proffer formulations of what things are.

1) The following conversation is a reconstructed one, and is based on an actual incident.

Officer stopping to check a box-like object at the edge of the roadway.

01: What's that? A tool kit?

: What is it? (To 02 who had gotten out of the car to check it.)

02: A box of sand.

01: Not a bomb (pause) this time.

2) The following is the beginning of an exchange between an officer and two men whom the officer had seen drinking from a bottle in a vacant part of a car sales lot, one Friday night shortly after midnight. (See section 2-10-12 for the continuation of this data.)

O: What's in the bottle?

M: Orange juice.

O: and vodka.

A slightly extended discussion of example #2 will be presented here, because of the variety of issues it touches upon.

We can begin our discussion of the above data by noting that M offers a

formulation of what is in the bottle; namely, "orange juice".

The next thing to note is that the officer's statement, "and vodka", was experienced by the participants, and by the reader, as exposure of the man's course of activity, as discussed in section 2-5#2, above.

In that section it was suggested that, at times, members do not succumb to such exposure by either 'admitting it', or modifying their activities in a way that such modifications could be seen as a direct result of the exposure. In this case, the notion of 'admitting it' can be used to point out clearly that we cannot consider the officer's statement, "and vodka.", as a completion of M's formulation, "Orange juice.". The officer constructed his own formulation of what else was in the bottle. That the officer did so by using a grammatical construction that grammatically completed, or added to, M's statement, does not detract from our observation that this does not stand as a completion of, or an addition to, M's formulation. That this is the case is seen by realizing that, for the conversation, as it stands, M has not admitted anything about 'vodka'.⁴²

42. Exposure by someone else's formulations may be more or less easily resisted. In this case resistance is difficult, as all the officer would have to do is smell the solution in the bottle, and then confiscate it if it smelled like vodka, to obtain the evidence he would require to counter and such resistance by M. In the case of the landlady's exposure of the man in section 2-5#2 above, no such easy tack, or evidence-obtaining course of activities is available to the officer.

This is one of the cases that points out how the functioning of the other aspects of the legal-justice system can specifically determine the nature of police-citizen encounters. In the two cases compared here, what a court would accept as evidence determines whether or not the officers could overcome a man's resistance. Court requirements for evidence of 'possession of alcohol in a public place', are substantially different than would be court requirements for evidence of 'purposefully misinforming the police as a means of gaining illegal access to private property'. See section 2-8-1 and 3-3-1 on organizational constraints.

If M had proffered the formulation "Orange juice and vodka.", he would have been seen as having made such an admission. This means that we must not claim that the officer completed M's formulation, as this simply is not the case. The officer may have provided part of the formulation he had requested or expected, and he may have done so by using a grammatical completion, but this is not the same as saying he completed M's formulation.

This leads to the conclusion that members' use of formulations depends on more than the lexical content and grammatical form of the formulation, itself. In particular, as presented here, members' recognition of which member is doing the formulating is of concern in the competent use of formulations. For example, as presented above, this was the crux of the distinction between an admission and an accusation or exposure.⁴³ The notion that competent use of formulations requires more than recognition of the lexical content and grammatical form of the formulation, itself, will be more fully explored in section 2-10 below.

10 The 'Non-curative' Aspect of Formulations

Formulations were presented in section 2-1 above as being members' 'cure' for indexicality. This section is intended to show that formulations do not really 'cure' indexicality, members' stated claims or beliefs to the contrary notwithstanding.

This issue is so crucial that clarity is absolutely essential. To be certain of such clarity, the rather lengthy and somewhat elaborate paragraph in which Garfinfel and Sacks make this point is presented here.

43. This idea of possession or ownership of formulations is also present in the towtruck driver example in section 2-4-3, and in example number six in section 2-10-12.

"With ubiquitous prevalence and insistence members do formulations as remedies for problematic features that the properties of indexical expressions present to their attempts to satisfy the aims of distinguishing in actual occasions between objective and indexical expressions, and, in actual occasions, providing objective expressions as substitutes for indexicals. We observe that among members, remedial formulations are overwhelmingly advocated measures to accomplish proper subject matter, proper problems, proper methods, and warranted findings in studying formal structures of practical talk and practical reasoning. We observe that their advocacy of remedial formulations is accompanied by practices with which members are just as overwhelmingly knowledgeable and skilled, practices whereby speakers guarantee and are guaranteed that formulations are not the machinery whereby accountably sensible, clear, definite talk is done."

(Garfinkel and Sacks 1970:353-354)
(Emphasis in original)

This does not mean that there is no such thing as clear, definite talk, etc., but rather that objective expressions⁴⁴ cannot be the means by which such clear, definite talk is achieved.

Garfinkel and Sacks 1970:354 proceed to present four "phenomena" in which they claim the non-remedial nature of formulations can be seen. I found one strong argument in these four phenomena. That argument will be presented here (#1) and will be followed by one further argument (#2) that also demonstrates the non-remedial nature of formulations.

- 1) Garfinkel and Sacks suggest that the simple request of "Tell me as if I didn't know." brings out the "impossible task of 'repairing' the essential incompleteness of any set of instructions" (1970:354). The point is amply made above by the abundance of short 'situation sketches' that preceded the discussed formulations (c.f. Section 2-6-3, "Officer to man who...."). I had to 'fill the reader in' so he knew what was (had been, or would be) going on before the formulations could stand as saying-in-so-many-words-what-was-going-on. The reader who doubts this last statement might try to look at a

44. See section 2-1 for my previous discussion of objective expressions.

sample of the preceding or following formulations without the benefit of my 'situation sketches' to see if they still appear to say-in-so-many-words-what-is-going-on.⁴⁵

In short, I had to provide a situation, or context for the formulations before they became formulations. Without the provided situations, what were previously seen as formulations, no longer seem to say things in-so-many-words.

The effectiveness of such situation sketches can be seen, if the reader applies the following hypothetical situation sketch to each and every expression that was previously presented as being seen as a formulation.

45. The reader should attempt this without even looking at the quoted words surrounding the formulations, as these words were added as a means to shorten the situation sketches by letting the reader make out for himself what was going on. For example, in section 2-9-6, the question, "What's in the bottle?", is not part of the formulation, "Orange juice.". By presenting part of the actual situation, in this case the officer's question, I decreased the burden I would have otherwise faced in providing a sketch of the situation in which the phrase, "Orange juice.", could be seen as a formulation.

The seeing of an expressions as the answer-to-a-question is one particularly potent means for the provision of situations or contexts. For example, if M states "Sure I have.", this does not appear to be a formulation. Yet, it does, if we quoted it after a question, such as:

O: Have you got the keys?
M: Sure I have.

In this case M appears to have said-in-so-many-words that he has the keys. He would be seen as 'having told the truth' if he reached in his pocket and pulled out the keys, or as 'having told a lie' if someone else was found to be in possession of the keys.

If the reader is inclined to argue that "Sure I have.", by itself, is not a formulation, while 'Sure I have the keys.' by itself, is a formulation, he should be aware that the second expression only appears as a formulation because the reader, himself, is supplying a particular type of context. If this second expression is supplied as an answer in the 'non-sense sketch' that follows (in the body of the text), it no longer appears to be a formulation. Both "Sure I have." and 'Sure I have the keys.' can be seen as saying something in-so-many-words when, and only when, provided with the appropriate contexts.

The reader might skim ahead and back over the examples to note the prevalence of the provision of contexts by the use of question-answer sequencing.

Situation sketch:

A researcher inquiring into members' ability to make sense of the world, struck upon the idea of asking people to try not to make sense. In particular, his instructions to his subjects were: "Every time I ask you a question, reply in a way that does not make any sense at all. Do you understand?" The replies he got were:

- 1) Orange juice.
- 2) A box of sand.
- 3) I walked.
- 4) The apartments just behind the Safeway.
- 5) I might not even show up.
- 6) It means 'hide your booze the cops are coming!'
- 7) (Insert any expression that one could see as a formulation in another context, here.)

None of what previously were seen as formulations are seen as saying something in-so-many-words, when provided with this situation sketch. From this, it is seen that the words, phrases, and sentences that were seen as formulations previously, are only seen as formulations in certain contexts or situations, and not in others. In short, the seeing of expressions as formulations does not reside in the seeing of the expressions as objective expressions, but, rather, resides in members' handling of the indexicality of expressions. What are seen as formulations, then, cannot be presented as 'cures' for indexicality, as the seeing of expressions as formulations in the first place, requires members' competence at the handling of indexical expressions.

Before proceeding to the second argument, another issue will be raised, as this seems as appropriate a place as is available to make the important point involved.

A closer look at what situation sketches are, shows them to be formulations of courses of activity, personnel, time and place, etc., as discussed in this thesis. That is, they state in-so-many-words the what, who, how, where, etc., which, thereby, constitutes the situation. In writing this thesis, I have been relying on both my own and the readers' competence with the very feature I have been attempting to explicate. I have been using

formulations, and members' competence at seeing and using formulations, as an aid in proceeding with my discussion of formulations. This is one specific instance⁴⁶ of a general case that may be stated as: 'Whosoever would do social science, inevitably relies upon the practices that constitute social competence, simply because science is a social enterprise'.⁴⁷ Unfortunately, any lengthy discussion of this is a little too far removed from my central concern -- the discovery of trouble. However, what must emphatically be pointed out is that I am not only treating the practices that constitute social competence as a resource. I am being forced by the social nature of science to use this competence as a resource, for the inquiry into those practices that constitute social competence, as a topic.⁴⁸ This point may be made clearer, if the reader considers the analogy of Newton relying on gravity in walking from the apple tree over to his desk where he could write about gravity.⁴⁹

- 2) The second argument is simply that formulations cannot cure indexicality, because they, themselves, often contain indexical expressions. That is, they include the classical indexical expressions, such as 'he', 'there', 'was', etc.

I term these 'classical' indexical expressions, because they are the

46. Another instance of this occurs in my relying on the retrospective-prospective sense of occurrence when discussing it in section 3.

47. See Elliot 1968.

48. For a more complete discussion of 'topic' and 'resource' see Zimmerman and Pollner 1970. The following are recommended to the reader as significant works bearing directly on the 'social nature of science' issue. Elliot 1968. Sacks 1963 and his doctoral dissertation introduction.

49. This analogy may not be perfect, even if the story of Newton and the apple is, but the notion of topic and resource seems to be basically characterized by it.

ones usually discussed in the literature. They generally fall in the categories of personnel, time, and place. For instance, Bar-Hillel (1954) notes that the "intended reference" of the statement, "I am hungry.", requires knowledge of "its producer and the time of its production". The reference of the statement, "It's raining.", requires knowledge of "the place and time of its production" (Bar-Hillel 1954:359). The reference of the term 'I', changes each time a different person utters it. The reference of 'now' changes, if one waits a moment between repetitions of the term. The reference of 'here' changes as the utterer moves from one locale to another. Other terms that show these problematic features are you, they, him, he, she, then, past, present, future, and there. All of these would seem to fall under Goodman's statement that: "Among the commonest indicators⁵⁰ are the personal indicators, the spatial indicators, and the temporal indicators." (Goodman 1966:363).

But, statements such as "A subjective and occasional expression⁵¹ is such that its occasional actual meaning must be oriented with respect to the speaking person and his condition." (Farber 1943:237) have a 'catch' in them. This 'catch' begins to become apparent when we note that Russell 1940 includes within his discussion of such terms -- which, incidentally, he calls "egocentric particulars" -- the terms "this" and "that" as well as "tense in verbs" (Russell 1940:134). The problem becomes most apparent when Bar-Hillel comments that:

50. For Goodman "a word is an indicator... it names something not named by some replica of the word". (Goodman 1966:362).

51. "Occasional expressions" being Farber's term for what I here call 'Indexical expressions'.

"The vagueness in which I left the expression 'pragmatic context' is partly due to the fact that its reference is often intrinsically vague itself."

(Bar-Hillel 1954:371).

What constitutes a pragmatic context, situation, or occasion seems to be open to at least some extension beyond simply personnel, time, and place. Garfinkel, for example, in the quote that I used in defining the term 'indexical' in section 2-1, included the expression-user's purpose, biography, and actual or potential interactional relationship to the auditor, as well as the previous course of the conversation, and the "circumstances" (Garfinkel 1967:4) of the utterance.

This proliferation of variables that are suggested as being admissible as part of a context, situation, or occasion, upon which, incidentally, there seems to be no general agreement, is the reason I stick to what I term the classical indexical expressions, in the following.

Getting back to the basic point, this section is intended to argue that formulations cannot cure indexicality simply because formulations, themselves, often contain the classical indexical expressions (that is, indexical expressions pertaining to time, place, and personnel).⁵²

Examples of this abound, but only two examples will be presented here, which show formulations that contain classical indexical expressions.⁵³

52. For some of the general problems and paradoxes raised by the problem of indexicality see Scheffler 1967, especially Chapters 1 and 2.

An inadequately explored area of theoretical interest is the differentiation and comparison of the 'vagueness' of expressions introduced by: indexicality, metaphorical use of terms, technical usages of terms, colloquial use of terms, multiple meanings for terms, and the inadequate physical production or reception of terms (for example, if a speaker mumbles).

53. Again the reader might check back on a sampling of the examples I have used. See, also, the examples of "me", "you", "I", "us", etc. in the formulations Garfinkel and Sacks (1970:350-351) present.

- 1) Officer upon noting a cafe, and rooming house above it, had reopened. (This was used in section 2-3-2 above.)

O: I'm sure he was running a couple of girls from there.⁵⁴

- 2) Landlady 'exposing' a man's attempt to gain illegal entry to a place of lodging. (This was used in section 2-5 above.)

Landlady: I know what you are trying to do. You want THEM to break in so YOU can get in. (Capitalization indicates voice emphasis).

Having concluded the arguments that indicate the essentially indexical nature of formulations, we will proceed to the closely related topic of the essentially indexical nature of the doing of formulating. That is, we are now to consider that the act of formulating is just as essentially indexical as was the content of any particular formulation. Garfinkel and Sacks make the point this way.

"The question of what one who is doing formulating is doing -- which is a member's question -- is not solved by members by consulting what the formulation proposes, but by engaging in practices that make up the essentially contexted character of the action of formulating."

(Garfinkel and Sacks 1970:355)
(Emphasis in original)

In sections 2-10-1 to 2-10-12 below, I am going to present some⁵⁵ examples of what members can be doing when they proffer formulations. We have already encountered the question of what members are doing when they proffer formulations at several places in this thesis. For instance, in section 2-5 a member's formulation was seen as 'volunteering information', and in section 2-4-1 a member's formulation was seen as 'offering an explanation of what had happened'. However, in each of these places where the subject of the 'uses' of formulating arose, it was only a secondary concern. The following sections are being used to specifically and emphatically point out this aspect of members' competence with the use of formulations.

Note that 'what was being done' in any of the following cases is not

54. Meaning: I'm sure he was using at least some of the rooms for the purpose of prostitution.

55. This listing is by no means a complete listing of the uses to which formulating can be put.

decidable by looking at the quoted formulations alone. Also, and just as importantly, note that my added formulations, that is, my provision of contexts, let the reader see what was being done in each case. Even though my formulations are just as indexical or essentially contexted as were the original quoted formulations, the reader's ability to handle the essentially contexted nature of formulations provides for the definiteness experienced in his knowing what I am trying to present. That is, the clarity of my explication of members' competence is being assured, in any given case, by the very methods I am attempting to explicate.

In the cases to be presented here, the formulation(s) can be seen:

2-10-1 As an excuse:

- 1) Junior officer explaining why he 'took his eyes off' some subjects.
(See section 2-10-8#1 for the complete exchange.)

O: I thought they were going to run.

2-10-2 As a joke:

- 1) Officers pretending to call the dispatcher about information volunteered by a hotel desk clerk concerning a guest he knew to have just broken a window. The officers knew the desk clerk had a radio tuned to the relevant police radio channel.

O1: That car that took the broken window at the Riviera --
see the desk clerk at the _____ Hotel. He'll
tell you who busted the window.

O2: (Yeah) the desk clerk is a fink. (pause)
I'd hope the guy upstairs u'd be listening in too.

- 2) Drunk approaching and then leaving two officers talking to a man (informer? friend?) on a downtown street one warm spring evening.

D: You caught him for throwing snowballs!

I know. Fuck off.

O's: (chuckle quietly)

- 3) Officer seeing a couple late one evening in a downtown back alley.

O: True love is walking down a back alley at 3:30 a.m. holding hands.

or a 'half-joke':

- 4) Officer driving past and looking into a hotel from which a desk clerk had just called the police station, indicating that he no-longer required the police assistance he had requested a few minutes earlier.

O: He's probably got a shotgun in his belly and is telling him to smile.

2-10-3 As a means to worry or pressure someone:

- 1) Officer to driver in an accident, who kept talking of a left turn when the vehicle positions indicated it was a right turn.
O: If you keep insisting it was a left turn, I'm going to take you in as intoxicated.
- 2) Officer responding to a youth who had committed a "theft from auto" and who had asked what the officer's partner -- the officer-in-charge of this case -- was like. The second officer was out in the snow examining both the car from which the theft had occurred and a second car it was suspected the youth had entered.
O: He's not mean, but he's thinking, and he's getting cold.
- 3) Officer to youth just given a second appearance-summons for "assault by trespass".
O: Just keep it up. They're piling up against you.
- 4) Officer to tenant of apartment that received a "noisy party" complaint.
O: If we have to come back tonight, we'll give you a summons.

2-10-4 As presenting what one suspects really happened:

- 1) Officer, after investigating an assault complaint against a bouncer.
O: They (a man and his wife) fought over his new girl friend, and the bouncer broke it up.
- 2) Officer, after investigating an accident in which a taxi cab was sandwiched between a power pole and another car. (The second driver did not remain at the scene of the accident.)
O: I don't believe the Chinaman (cab driver). He hit the pole first and was just lucky that the other guy hit him.
- 3) Officer, following an investigation of a fight in a parking lot.
O: I don't think we got any right names.

2-10-5 As presenting a philosophy:

- 1) Officer reminiscing about a particular, frustrating incident that might have gotten a little too rough.
O: ... and you know, 'frustration leads to anger'.
- 2) Officer commenting on a theft that occurred in a well-lit area.
O: ... daring -- that's why they get away with it.
- 3) Officer, after having aided two youngsters to get to a friend's home, while the mother was intoxicated and insisting she was a "good mother".
O: If she cared a lot about those kids, she wouldn't get into that condition.

2-10-6 As instructing someone:

- 1) Senior officer to a junior officer, following an incident in which a police car came up behind some youths whom a resident of the area had reported as "attempting to steal a car". One youth dropped a flashlight as a second police car approached them from the front.

O: That's the first thing you do -- is watch them.

- 2) Officer, to me, after we had left a cafe where the officer had heard a man say "65" as he entered.

O: It (that is, '65') means "Hide your booze; the cops are coming".

2-10-7 As confessing:

- 1) Man who was being questioned as a possible hit and run driver.

M: Well I know I hit something.

- 2) Youth explaining why the police had been called to a private residence.

Y: I stole a radio, and Mom wants to charge me.

2-10-8 As being sarcastic:

- 1) Senior officer to junior officer, who had just tried to explain why he had "taken his eyes off" a group of youngsters they had approached a few minutes earlier. (The junior officer had reached for his hat.)

O: So you were going to put on your hat.

This example and those for sections 2-10-1 and 2-10-6#1 were drawn from the following case: Two officers had approached three youths from the rear (while a second car approached from the front) after a complaint of "youths attempting to steal a car". As the officers approached, one youth dropped a flashlight he had stolen from the car. The junior officer had not seen this, as he had "taken his eyes off" the group and looked down on the seat for his hat while this was occurring. The following exchange occurred after the youths had been taken home:

O1: That's the first thing you do -- is watch them.

It might have been marijuana (that he dropped).

O2: I thought they were going to run.

O1: So you were going to put on your hat.

(End of conversation)

- 2) Officer, upon leaving a rougher cafe after going in to have someone try to point out who had robbed him. Robberies occur frequently in this cafe.

O: It was real touching of the staff to be so interested.

2-10-9 As "leave taking":

- 1) Man after having received three separate traffic tickets during one encounter with the police, and presently exiting from the police car.

M: Thanks. (short pause) I don't know what I'm saying
"thanks" for.

2-10-10 As letting someone know:

a) what is happening:

- 1) Officer to man who had just poured some alcohol onto the ground at the officer's request, after the man had been found drinking in a public place.
O: That's good. (pause) The ground's not (going to get) drunk and there's no-longer an offense.
- 2) Officer to partner who was driving as they left a family fight call. The officer observed the woman involved still hollering at her husband.
O: She's still not leaving him alone.

b) what might have been missed.

- 1) Officer to partner a few minutes after questioning a man in the back alley behind a downtown discotheque.
O: We should have searched him, as they could have passed a stolen wallet out through the hole in the screen (to him).

c) what (or that) one sees (or hears, etc.) something.

- 1) Officer in downtown sector, hearing someone crying about a block away.
O: Somebody's not too happy about something.
- 2) Officer observing a man in a car in front of a downtown discotheque.
O: He was reaching for something. (Maybe booze or a girl)
(Bracketed portion is not verbatim.)

d) what one might be seeing.

- 1) Officer seeing a man pick something up off a sidewalk in front of a downtown discotheque.
O: Don't tell me he found a full bottle?
- 2) See example 2-10-2#4.

2-10-11 As filling someone in:

- 1) Officer to partner, who had been occupied with other things while he was talking to a female about her complaint of a stolen wallet. (The wallet was found in her purse.)
O: She sure didn't want to let me see her wallet.
I don't know why.

2-10-12 As telling someone to do something:

In section 2-4-3 it was pointed out that members can recognize that a formulation can be, could have been, was, or was not, done. Not only is it the case that members can recognize that formulations can be done for courses of activity, they also recognize, and take it as a basic social competence, that numerous courses of activity can be modified or constructed so as to more or less correspond to a previously proffered formulation. That is, just as members could recognize and utilize the recognition of the presence or absence of formulations, they can also recognize and utilize the recognition of the presence or absence of courses of activity that could be made out to more or less correspond with a previously proffered formulation. The usual idea of 'telling someone to' or 'suggesting that' are really the offering of formulations to be fulfilled.

For example:

- 1) Officer approaching two men who had been seen drinking from a bottle in an open part of a car sales lot. (The formulation to be fulfilled is underlined.)
O: What's in the bottle?
M: Orange juice.
O: and vodka. (pause) You'd best pour it out. It would look real nice on the ground and (it would) save you a summons.
M: Over here? (Walking away from the police car.)
O: That's good. (pause) The ground's not (going to get) drunk and there's no-longer an offense.
- 2) Officer to driver stopped on suspicion of intoxicated driving, after having found out the driver had been trying to eat a hamburger and drive at the same time.
O: Pay attention to your driving.
- 3) Officer getting a man out of bed. (See Appendix I)
O: Let's see you get up.
Later
O: Get up.

- 4) Officer instructing me as we approached a downtown cafe, during the investigation of a theft complaint.

O: Put the book (my note pad) in your pocket and keep your hands free.

2-10-12-1 One dimension of social status seems to be the right to proffer formulations to be fulfilled. Proffering formulations to be fulfilled can be either consistent or inconsistent with one's status. In the following example, the right to proffer a formulation to be fulfilled by another member's course of activity seems to be the crux of the incident.

Officer to male J-walker, as officers in car begin to leave a downtown discotheque. (Formulations to be fulfilled are underlined.)

O1: Hey. How'd you like to use the crosswalk?

M: How'd you like to fuck yourself?

O2: What'd he say?

O1: How'd you like to fuck yourself?⁵⁶

O2: I'd enjoy this. (Backing up and parking police car)

One might object that the use of "fuck yourself" in M's formulation might have been the officers' cause for thinking M was 'getting smart'. But it cannot be this simple, as, if M had replied 'How'd you like to use the crosswalk?', the impertinence of the remark remains.

56. It is interesting to note that despite the fact that O1 uses the same words M used previously, O2 did not take O1 as proffering a formulation for O2 to fulfill. This is a clear case of why discussion of formulations as objective expressions is not adequate.

Section 3 is basically intended as a means of illustratively discussing the significance which members' use of the retrospective-prospective sense of occurrence, has for trouble discoverers. The presentation here initially develops the notion of the retrospective sense of occurrence, and thereafter develops the notion of the prospective sense of occurrence. This is followed by a rather lengthy discussion of the topic of identifications, which is used as a means to present a considerable number of the intricacies involved in members' practical use of the retrospective-prospective sense of occurrence. At several places important connections between portions of this section and previous discussions have been specifically noted, and it is recommended that special attention be paid to such areas.

3-1

Retrospection

Data:

While driving around at 2:30 a.m. one Sunday morning, two officers saw a truck belonging to Mr. T. parked in a 'No Parking' zone in front of one of the cheaper downtown hotels. They drove up along-side the truck and suggested to Mr. T., who was in the driver's seat, that he should park elsewhere. A smiling Mr. T. replied he was just waiting for a friend. The police car began to move off just as a female came out of the hotel and got into Mr. T.'s truck, whereupon Mr. T. drove off as well. At this point one officer commented: "Mr. T. must be 'running hooch' as I just saw her in the Cup a few minutes ago." (The Coffee Cup Inn is a cafe in downtown Edmonton which has a rather disreputable reputation among officers because of numerous contacts they have had with it, concerning alcohol and other offences.)

3-1-1

It would seem reasonable to say of the above data that what the officer had first seen as 'someone deserving a reminder that he was illegally parked' was later seen as 'someone running hooch',¹ who in the process had parked illegally'. The point to note is that what was seen later was seen as what had been going on all along. The officer did not

1. "Running hooch" is a phrase that denotes the illegal delivery of alcohol.

see, at the later time, that someone was now 'running hooch', whereas previously that same someone was only illegally parked. The officer saw that what had been going on all along was that Mr. T. had been 'running hooch' even if he, the officer, had just realized that to be the case.² That is, the officer had retrospectively reinterpreted what he had previously seen as occurring.

3-1-2 A very important part of being a trouble discoverer seems to lie in the ability to come up with such retrospective reinterpretations, and to be able to convincingly provide for others, that the reinterpretation is indeed the "real" interpretation. In the following, the officer was able to come up with a reinterpretation, yet he was unable to obtain anything a court³ would accept as substantial evidence.

An officer patrolling a beat about 1 a.m. on a Saturday morning had seen a fight between a woman and a man in a parking lot and had called the car I was in for assistance. There were three other men standing nearby whom the woman joined just as our police car arrived. The woman claimed she had been walking along with the man, a new acquaintance, when he tried to get her wallet, which was in her purse, so she fought him. The man offered no explanation of what had occurred. After the officer had obtained the names of all the persons involved, and as the people were about to leave, he offered the following formulation. "She was trying to rob him, and you guys just didn't see anything." (underlining indicates officer's emphasis)

2. An important area of sociological concern is stability and change. Hence, an exploration of the methods by which members accomplish the handling of the differences between the elements of the set characterized by 'all along', 'changed', 'again', 'different' and 'still', is essential to anybody's version of sociology.

3. Note that, for the courts, the problem is usually one of deciding between alternate interpretations, as opposed to developing possible reinterpretations. They are more concerned with deciding which it was all along, rather than starting from it being one way and then re-interpreting the way it really was all along.

In this case the officer had come up with a reinterpretation of what had happened, but knowing he had nothing a court would accept as evidence of this reinterpretation, he simply settled for letting the people involved know that they had not 'put one over on him'. What the officer could point to as indicating his reinterpretation was correct,⁴ and what may have suggested his reinterpretation in the first place, are the following:

1) The man had gotten much the worse of the fight. He had a cut lip and had to be helped from the ground by an officer, while one could not even tell the woman had been in a fight. 2) The man had come into the city from a smaller Alberta center that day, which would seem to make him a more likely victim than perpetrator. 3) The woman and all three of her male friends were bigger than the beaten man. Would it be sensible for him to try to rob her, when she had three big friends around to help her if she needed help--as she obviously did not? 4) None of the three men would give a story of what they saw; not even to corroborate a friend's story.

None of the above is conclusive, even to the author as someone unaffiliated with legal concerns of proof. The point is that such matters appeared to be suggestive of possible reinterpretations to the officer concerned.

3-1-3

For trouble discoverers, and police in particular, the ability to 'come up with' possible reinterpretations fast enough seems to be a matter of considerable concern. If one comes up with a possible reinterpretation, and in particular a reinterpretation that has the possibility of checking for evidence presentable to the courts or other appropriate persons, after an incident is concluded, this constitutes 'missing a good opportunity'.

4. As accurately as I can reconstruct it.

For example:

Officer to partner following an incident in which two officers:
1) had seen a man running between two buildings toward a back alley at 3 a.m.; 2) had driven around into the back alley and stopped and talked to the man as he walked away from the back door of a downtown discotheque, and; 3) had noted the locked, heavy gauge, screen back door of the discotheque had about a six-inch hole in it, and; 4) had let the man go and proceeded on their own way.

0: We should have searched him as they could have passed a stolen wallet out through the hole in the screen to him.

In this case the officers had missed a good opportunity because they had not thought of the possibility soon enough to be able to do a search for a stolen wallet, the finding of which would have been very strong evidence.

It should be noted here that one of the ways to 'come up with' possible reinterpretations is to have others suggest them. The reader might reconsider here the case of the landlady's voluntary formulation in section 2-5#2.

The reader might also note for consideration that it is not only courses of activity that can be reinterpreted, as one might be inclined to conclude from the examples discussed. The notion of 'all along' also applies to; what it was, who it was, where it was, when it was, etc.

3-2 Prospection

Data:

At about 3 a.m. one Saturday morning two officers, who had just begun to cruise around after having been parked in a back alley watching the vicinity of the Coffee Cup Inn, heard the dispatcher report that someone had been robbed on 97 Street approximately two and one-half miles north of the officers present location. The robbers had left the scene in a Golden Cab containing three males and two females, all Metis. One officer suggested to the other officer, the driver, that they "go back over and park by the Cup because if the cab comes down 97 Street they'll let off the

passengers here."⁵ For the next few minutes occupants of all observed cabs were scrutinized, with results such as: Yellow Cab--one male fare, Yellow Cab--one male fare, one female fare, Golden Cab--no fare, etc., but no close matching between the occupants and the description occurred. One officer then made the comment that they 'would have been here by now if they were coming', and the officers resumed cruising.

3-2-1

In contrast with the retrospective sense of occurrence as developed in 3-1 above, this data indicates the officers' use of a prospective sense of occurrence. That is, the officers were concerned with what might reasonably be expected to happen, in the light of what had just happened, or was just happening. The officers' action of driving back to observe the vicinity of the Coffee Cup Inn was clearly based on the prospective possibility that the cab involved in the robbery would come down 97 Street to 'let off the passengers'.

The officers' utilization of the prospective sense of occurrence is also evident in the circumstances of their leaving. The officers left their 'observation location' when they saw that the persons in the cab 'would have been here by now if they were coming'. In this case what had happened was that a long enough period of time had passed, so that the officers could reasonably maintain that it was unlikely that the persons in the cab would 'show up'.

The significant character of the prospective sense of occurrence lies in the notion of reasonable expectation. The way members see the world as being practically socially organized is one aspect of reasonable

5. This statement would seem to be founded on the following: 1) 97 St. is a major traffic artery, 2) 97 St. is the street that is the line of symmetry of a 'T' intersection with Jasper Avenue at the Coffee Cup's location, 3) the 97 St. and Jasper region contains several of the relatively small number of business establishments (discotheques and cafes) open at that time of night.

expectation.⁶ The second aspect is members' ability to wait for the moment. That is, what can 'reasonably be expected' may be specifically indeterminable at points within naturally occurring activity. Indeed, even what is going on may be specifically indeterminable. In both these cases the member must wait⁷ for the moment, for whatever the duration of that moment,⁸ to see what it can reasonably be made out to be, that is occurring, or what it could have reasonably been made out to be all along.

3-2-1-1 The notion of 'all along' has crept back in here and it should alert the reader to the close relationship between retrospective reinterpretation and the prospective sense of occurrence. This relationship should become clearer if we reconsider some of the data provided in section 2-6-2-1. In particular we will look at the data presented as:

Officer, after having received a complaint of a man having been assaulted by a bouncer.

0: It's usually not as simple as it first sounds.

It seems fairly straightforward to point out that the statement indicates the officer was aware of prospective possibilities, even if at the moment they were unspecifiable prospective possibilities, and that for the moment those possibilities had to remain unspecifiable.

6. What is said here does not diminish the extent to which members' notions of practical social organization are also included in the seeing of what is happening. Sacks 1972a on membership categories and their use by members are recommended as most useful accounts of the notion of social organization as seen by members.

7. Sometimes it may be a matter of 'just waiting'; at other times it may be a matter of 'waiting while one is doing something' so as to be able to see what is going on: That is, the member can be actively engaged in the pursuit of whatever is required to allow him to make out what is or was occurring. (See section 3-2-1-2.)

8. See section 2-6-1-2-1 for an example of an infinitely long moment.

The more interesting aspect of this statement is that in it the prospective sense of occurrence is concerned with the possibility of retrospective reinterpretation. Or, put in another way, that the officer was oriented to the prospective possibility that 'after further investigation' it might turn out that what previously had been his only existing interpretation of what had transpired, might be in substantial disagreement with what he now (after the investigation) took to be the correct interpretation of what had transpired.

3-2-1-2 The reader should now be able to see the example of the prostitute's complaint of theft in section 2-3-1 as an instance when such a retrospective reinterpretation occurred.⁹

The reader might also reconsider the headings offered as the 'preliminary reason for the call for the police in section 2-3-1. The example labeled 'no reason for call given', is a case in which the officers would simply have to wait for the moment, in this case until they arrived at the scene, and began investigating, to find out what the trouble was. That is, it was a case demonstrating the prospective sense of occurrence. All the other 'reason-for-call' headings, such as 'theft', while requiring the officers to wait for the moment (again until they arrived at the scene and began investigating) also offer reinterpretation possibilities. That is, after investigating there was the omnipresent possibility of the officers reinterpreting what had been going on all along as someone perpetrating, for example a 'fraud', rather than a 'theft'.

9. It would seem correct to reinterpret it as 'obtaining services by fraud', but the illicit nature of those services might make all titles or reasons for complaint inappropriate -- at least as far as the police were concerned.

3-2-1-3 Before returning to our discussion of basic theoretical issues one further instance of how retrospection-prospection is related to police officers' work will be presented.

This prospective orientation to the possibility of retrospective reinterpretation seems to underly the very common statement by officers who have just received a complaint, that they will "check it out", rather than, for example, that they will "take care of it." The basic difference between these statements is that the first specifically suggests recognition of the prospective possibility of retrospective reinterpretation, while the latter does not. The difference between these, on any particular occasion of their use, is that the first can be seen as being cautious, open-minded, not prejudging, not taking sides, or waiting until all the evidence is in. The latter statement, by not making the possibility of retrospective reinterpretation focally relevant, can mean the exact opposite of each of these.

The reader should notice that it is the reasonable possibility of multiple formulations that allows the above to occur. In situations where it is reasonable to expect only one formulation, the use of "check it out", by 'intendedly' providing for the prospective possibility of reinterpretation, can be seen as doing quite different things. For example, an officer who received an 'order' from a superior that indicated the officer was to take care of some specific state of affairs, and who replied 'I'll check it out.', would be seen as being insubordinate, or possibly as trying to exercise more authority at decision-making than was rightly his, or as trying to get his own way, etc.

The reader should also note that the provision for the possibility of retrospective reinterpretation also forms the basis of one of the "binds" officers find themselves in if they are forced to take a complaint

from a friend. If the officer concludes his contact with such a complainant by stating "I'll check it out.", he is likely to lose the complainant's friendship, because the officer's provision for the possibility of retrospective reinterpretation shows 'lack of confidence' in the complainant's version of whatever the trouble is. If the officer replies, "I'll take it.", he is likely to be reprimanded by his superiors for prejudging a case and not being open-minded about further evidence. In this case, there is also the possibility that, if the officer does retrospectively reinterpret what happened, he will be seen as 'going back on his word' to his friend.

The above can be summarized: a) by saying that the substance of at least one of the problems experienced by officers in handling the taking of complaints from friends, resides in the officer's handling of the retrospective-prospective sense of occurrence, or: b) by saying that one of the 'social binds' experienced as conflicting interests is based in members' occasional handling of the prospective possibility of retrospective reinterpretation.

3-2-2 Two important theoretical points remain to be made briefly, concerning the retrospective-prospective sense of occurrence.

3-2-2-1 The first of these arises from a consideration of the idea that the basic aspects of the retrospective-prospective sense of occurrence--namely the notions of 'all along' and 'waiting for the moment'--are the result of the time it takes members to make out the particulars of situations. In the case of police officers receiving complaints, these are the result of the time it takes to determine the purposes of the complainant (is he trying to con me?, or is this a legitimate complaint?), the particulars or circumstances of the incident (Did it happen as the complainant says it happened?), and the biographic particulars of the

incident (What happened before the incident, in addition to the incident, and could reasonably be expected to occur after the incident?).¹⁰ Due to the temporal aspect of how members ascertain the particulars of situations, the making out of the sense of expressions or physical displays is delayed--that is, put off for the moment--or treated as being retrospectively applicable, in place of whatever sense had been made out, on the basis of what was later seen as inappropriate or incomplete situation characteristics--that is, the present sense stands as having been the case all along.

But expressions or physical displays whose sense cannot be made out independently of knowledge of circumstances, biographic particulars or other members' purposes are precisely what is meant by the term indexical expressions or physical displays (see section 2-1). The retrospective-prospective sense of occurrence, then, stands as a characteristic that reflects the temporal problems encountered by members in their practical handling of indexical expressions.

3-2-2-2 The second theoretical issue concerns the notion of reality. To discuss this we must first introduce what has been termed the 'documentary method'. Garfinkel expresses what is meant by the 'documentary method' as follows:

"The method consists of treating an actual appearance as 'the document of', as 'pointing to', as 'standing on behalf of 'a

10. The reader should be alerted to the fact that: learning the purpose of the complainant, the circumstances, or the biographic particulars of the incident, may also itself include the use of the retrospective-prospective sense of occurrence. Garfinkel makes the point this way.

"Thus it frequently happens that in order for the investigator to decide what he is now looking at he must wait for future developments, only to find that these futures in turn are informed by their history and future." (Garfinkel 1967:77 emphasis in original)

presupposed underlying pattern. Not only is the underlying pattern derived from its individual documentary evidences, but the individual documentary evidences, in their turn, are interpreted on the basis of 'what is known' about the underlying pattern. Each is used to elaborate the other." (Garfinkel 1967:78)

Interpreting this statement as it stands, the reader may be inclined to think that there is only one underlying pattern or 'way it really is'. The retrospective-prospective sense of occurrence, however, provides that the underlying pattern can retrospectively be reinterpreted. At any one time there might not be more than one underlying pattern,¹¹ but the underlying pattern can change. Members can point to what was the real underlying pattern for them at one time, but which at some later time they saw as being mistaken, because they, at that later time, saw something else as having been what was really the case all along.¹² It is this characteristic of members' reality; namely, the superseding of 'the way it really is', at some later time, by 'the way it really was all along', that invites attention to the reconsideration of the term 'real'.

Despite the descriptive ability of statements that take not of this

11. Equally on given, particular occasions; there may be none -- for the moment -- or two or more possible alternatives.

12. It is here that the notion of a 'lively context' arises. The documentary method, when combined with the retrospective-prospective sense of occurrence, provides that members treat observables as surface features, which are evidences of something underlying them. Because nothing other than such surface, evidential features are available to members, the underlying pattern seems to become a lively context. Viewed from the shifting ground of evidence, the way things 'really are' at any given moment in the social world becomes something to be tracked, followed, worked out, or actively pursued.

characteristic of members' social reality, attention and reaction are often confined to the vague notion that statements such as this "question the existence of reality." This is not the case, for a reason Wilson makes quite clear when he states that:

"members' sense that the features of the social order are objective and real is an accomplishment of the members on that same occasion. ...As Garfinkel and Sacks (in McKinney¹³ and Tiryakian, forthcoming) have noted in another context, this is not to say that the world is not real; rather it indicates the manner in which it is real." (Wilson 1970:79)

The final point to be made in the section is to draw the reader's attention to the fact that nothing in this section contradicts what was said in section 2-6-2 concerning reality and the neutral frame of reference. The operation which achieves perspective irrelevance, or the neutral frame of reference, is to be seen as an operation carried on simultaneously during the application of the documentary method. That is, the actual appearances that are seen as "the document of", as "pointing to", or as "standing on behalf of" the underlying pattern, are appearances developed within the neutral frame of reference. They are not appearances considered unique to each member, but are perspective-irrelevant appearances.

We now proceed to a discussion of police concern for, and use of, identifications, as illustrative of members' practical use of the retrospective-prospective sense of occurrence.

3-3 Police use of identifications, as illustrative of members' practical use of the retrospective-prospective sense of occurrence.

13. The whole discussion of "glosses" in Garfinkel and Sacks (1970) is relevant here, but perhaps the closest parallel remark they make is as follows: "...even though over the course of their talk it is not known and is never, not even "in the end", available for saying in so many words just what they were talking about. Emphatically, that does not mean that speakers do not know what they are talking about, but instead they know what they are talking about in that way." (Garfinkel and Sacks 1970:343 emphasis in original). And, I would add: only in that way.

3-3-1

As discussed previously (section 2-2) one of the chief concerns of police officers, as trouble discoverers, is the determination of members' courses of activity. This concern is reflected in the preceding examples in this section, in which the suspected courses of activity were Mr. T. 'running hooch', the lady 'mugging' the man in the parking lot, and the man being the receptor of a stolen wallet. But, the police are faced with a basic limitation on their use of retrospective reinterpretation as a means of determining members' courses of activity. The very fact that it is a particular member's, or a particular group of members', course of activity that is of concern requires that retrospective reinterpretation be restricted to occurrences related to that particular member or group of members. That is, the officer faces an 'identification problem' in utilizing the retrospective sense of occurrence.

In each of the three cases above, the identification of the members involved at the time of retrospective reinterpretation as being the same members who had been seen and listened to earlier -- that is, since the beginning of the police observation of the incident -- seemed assured by the members' continued physical presence.

This is a 'personal' identification problem, in that the officer, himself, must realize that the member was the same member who was seen earlier on, for the officer to engage in retrospective reinterpretation.¹⁴ But the problem of identification was a necessary requirement for the use of retrospective reinterpretation goes beyond this. Police officers at

14. Reinterpretation can also result from things that stand in various relationships to a member identified as the-same-member. This includes what members leave behind in terms of objects -- for example, a torn up gun permit thrown in a garbage can -- and such things as what some third member may report to an officer about another member -- for example, a police informer telling an officer that some person has a quantity of drugs.

times must provide for other persons in the legal-justice system to be able to see that it was the-same-member. For example, they must be able to provide such identifications for the courts, if the prosecution of a case requires the court's (judge and/or jury members') acceptance of such reinterpretations as reasonable. Besides personal recognition of the identification of members as the same members, it, therefore, becomes important for officers to be able to recognize, and provide for identifications of members as being the-same-members, as identifications acceptable to the legal-justice system as the officer knows it to function in practice.¹⁵

To the extent that such legal-justice system considerations impinge upon the officers' handling of a situation, we see that the officers' prospective sense of occurrence (see section 3-2) is being invoked. It is not only the question of identifications, however, that requires officers' prospective sense of occurrence when providing for other aspects of the legal-justice system as being able to accept the officers' reinterpretation as reasonable. The notable companion concern here is the idea of 'occurrences related to that particular member'. The officer's prospective sense of occurrence must also be concerned with what, for example, the courts see as being occurrences legally related, or relatable, to that member, and what is acceptable as evidence for such relations. For example, if the officer in the 'stolen wallet -- hole in the screen' incident had later found a stolen wallet on the ground half-way between the screen covered back door and where the man had stopped and talked to the officers, would the courts see this as relating the wallet to the man in such a way as to allow for legal prosecution?

15. The possibility of differences between what an officer requires for recognition of a member as the-same-member and what a court requires or what an officer is able to verbalize to a court (c.f. Sacks 1972b:288-289), provides one instance of the type of problem that results in the 'gap' officers sense between what they 'know' and what they can 'take action on'. This sensed 'gap' depends for its existence on the officers' prospective sense of occurrence. See the following paragraphs.

The prospective sense of occurrence is not only applicable to identifications' and 'relations' as introduced here. The consideration of organizational constraints in section 2-8-1 massively and essentially relies on the officers' prospective sense of occurrence, even though the term was not introduced at that time.

3-3-2 In the data presented above concerning the 'hole in the screen', I saw no indication that the officers had trouble seeing that the member they were now talking to was the same member they had seen standing by the screen a moment earlier. Likewise nothing they said or did indicated they would have expected problems in providing that others see the same thing. The continued physical presence of the member seemed to adequately provide for both of these seeings.

In cases where the identification of a member as being the-same-member-as-before cannot be claimed by continued physical presence, the identification of members takes on much more problematic character.

A classic instance of police use of retrospection-prospection based on identification of a member as being the-same-member-that engaged in some activity is provided by the use of the 'name check', or "10-30" (Read as "ten-thirty") as it is known in the police code. A policeman can check on the prospective possibility that some member has an outstanding warrant for his arrest by asking the dispatcher to have the appropriate files checked for the appropriate name.¹⁶ If that member has an outstanding warrant, the officer then is in a position to retrospectively reinterpret his own situation as that of 'being in contact with a 'wanted' person'. But, note

16. A date of birth is also normally supplied by the officer as a secondary check, and also as a means of differentiating between persons with the same names. At times even this is not good enough to reasonably establish whether it is or is not the-same-person who is listed on a warrant. See the case of George C. in the next paragraph.

carefully that this retrospective reinterpretation depends on the officer's necessarily seeing the member he is observing as being the-same-member who engaged in some activity that led to the issuing of the warrant.

The case of George C. will be instructive here for two reasons: One -- to emphasize the retrospective nature of the use of name checks; Two -- to show that it is the 'the-same-one-that-engaged-in-some-activity' aspect of labeling systems that is of concern in retrospection. In this case the existence of warrants for two persons with the same name forces the officers to act in a way that clearly demonstrates concern for 'the-same-one-that-engaged-in-some-activity' aspect of identifications.¹⁷ The officers' problem was to choose between the warrants in such a way that they could reasonably claim of the man in custody 'that he was the-same-one-that was wanted for the reason indicated on the warrant.'

About 10 p.m. on a Saturday evening the management of a downtown rooming-house called the police to have a drunk removed from the lobby. Upon their arrival, the desk clerk directed the officers to a man lying on the floor. The officers got the man seated on a bench and obtained his name (George C.) and birthdate, but no city address. The following conversation then occurred:

O: And you've had no trouble with the police?
G: Not here.
O: Anywhere else?
G: No.
O: Edson?
G: No.

The man was ushered from the building and told to "Move along." When the officers got back into the patrol car, a 10-30 (name check) was requested from the dispatcher. While waiting for the dispatcher's reply, the police car was turned around and driven about half a block towards George C., who appeared to be walking toward the 97th Street and Jasper area. The dispatcher replied that there was an outstanding warrant for a George C., but that the year and month of birth did not match. The officer asked the dispatcher 'If he was sure'; whereupon he was notified that George C. should

17. Cases involving one member using two or more names also highlight this aspect of identifications.

have a tatoo of "Love" on his left forearm. The officers proceeded to relocate George C. who had walked about a block further away and had disappeared from view behind an annex to the downtown library.

George C. was called over to the car and asked to show his left forearm. He showed his right forearm first, and then his left which did have a tatoo of "Love" on it. George C. was taken to police headquarters, a distance of about one-half block, where the officers discovered there were warrants for two George C's.

The officers then attempted to decide which, if indeed either, of these two, was the George C. they had at headquarters. The officers noted that the George C. they had in custody: 1) had the same middle name as George C. on what I will call warrant-1, whereas no middle name was listed on warrant-2; 2) had a scar on his index finger as indicated on warrant-1; 3) had no scars on his right arm as warrant-2 would have required; 4) was a close, but not an absolutely convincing likeness of the picture on warrant-1 (Warrant-2 had no picture); 5) was approximately the same age as warrant-1 (the year of birth on the warrant being 1951 instead of 1953 reported by George C.), but nowhere near the age listed on warrant-2 (the year of birth being about 1930); and 6) had the "Love" tatoo mentioned on warrant-1.

George C. was taken to the cell block on the basis of warrant-1. In order to re-encapsulate what this data was intended to illustrate, note 1) that the officers had to reinterpret what had occurred, and was occurring. What at first was a case of 'removing a bothersome drunk'¹⁸ later became 'really an incidental contact with a wanted person, all along'.¹⁹ And 2) that the officers' concern with the identification was to insure that the George C. they had in custody was the-same-one-that had participated in the incident leading to the issuing of a warrant.

18. Even if the officers were suspicious because of the conversation quoted above, their action of letting him wander off would indicate these suspicions were not strongly held.

19. This, and the further reinterpretations that occurred upon finding that there were two George C's, and upon finding only one warrant described a reasonable likeness, also offer a clear instance of the occurrence of multiple reinterpretations and the documentary method.

Retrospective reinterpretation would seem to underly all instances of realization of 'incidental contact'.

The case of George C. above provides a list of rather common characteristics used for identifications: faces, scars, tatoos, names, birthdates. Two of the less common things I have seen used to aid in establishing identification of a member as the-same-member intended by a warrant are:

- 1) Where someone was at a particular time.

For example: Identification of one man was aided when he claimed to have been in the Lethbridge area at the time a warrant for someone with his name was issued in Lethbridge.

- and 2) Admitting to being involved in an incident that could be part of what led to a warrant.

For example: Identification of the same man as in the above example was further aided when the man admitted to having received a \$29 fine (with no mention of payment or non-payment), when the warrant stated non-payment of a fine as the reason the warrant was issued.

In section 3-3-2 we saw that police action based on retrospective re-interpretation required the seeing of the member presently encountered as the-same-member involved in some past incident. As one would then expect, interference with such an identification is one means of opposing any action that could be taken on the basis of a reinterpretation. For example, one can prospectively provide for the ineffectiveness of name checks by successfully avoiding such identification.

Below I will present three of the basic tactics used by members in avoiding identifications. These three tactics are applicable in cases where two or more members are relatively unknown to the inquiring member. They would seem ineffective as tactics in cases where the inquiring member and the other members involved had considerable previous acquaintance. If their use is attempted with officers who already know the member attempting such use, the user could be seen as 'making a mistake', 'showing unneces-

sary resistance'; or even 'joking around', or 'carrying on a comedy routine', if the member was more than superficially close to the officer. These tactics also seem limited to cases where the member doing the requesting, in this case the officer, is limited to verbal requests for identification from that other member. That is, if others are around who will proffer this information, or if the requester has access to documents containing the correct information either due to situational factors or because physical force is an alternative, these tactics would seem ineffective. None of these restraints seem to be general inhibiting factors in the use of these tactics against the police.

The tactics are:

- 1) Refusing to give one's name (and possibly address and birthdate, as well).

The 'anonymous' telephone call is one extremely efficient use of this as: a) a minimum of information is available for other means of identification, and b) the caller has independent control over when to withdraw from further interaction.

Some of the prospective possibilities that can be avoided by this tactic are:

- 1) the courses of action open to the person(s) approached by the police on the basis of the call, if the caller is identified to such other persons.

The possibility of such persons retaliating or 'getting even' are avoided.

- 2) being approached by the police: a) for further clarification of the complaint, b) for laying a possibly improper complaint, or c) with notification that the caller must lay the charge(s) if charge(s) are to be laid at all.²⁰

20. If no complainant is known, the responsibility and decisions concerning taking action, or not, rest completely with the officers.

3) lack of action on the complaint, by the police, due to the nature of past contacts between the police and the caller. For example, the caller can avoid being labeled 'a busy body', 'a trouble maker', 'a nut', or 'someone with an axe to grind' which could lead to inactivity on a minor complaint.

The tactic of refusing to give one's name seems rather infrequently used in face-to-face situations. Furthermore, in all the cases I observed where it was used, a name was eventually given. The fact that this tactic is infrequently used in such situations would seem to be a combination of: a) its obviousness as a tactic, and b) the general unavailability of a means of withdrawing from interaction. That names are eventually provided seems to be the result of the tactic-user's realization that this tactic forces the police to do nothing or to take fairly drastic action (for example -- arresting the person and then having the legal right to physically remove documentary identification). If the officers simply wait a while after such a refusal, it becomes apparant they are not going to do nothing -- or they would have already left -- so, facing the drastic alternative, the tactic-user drops this tactic.²¹ He may adopt the second tactic of proffering a false name in its place.

2) The proffering of false names.

Officers do receive numerous false names. Some of them are obviously false names, as in the following case where the derivation of the name, the uncommon names involved, and the "friend's" statement, all make the falseness of the name obvious:

21. The officer may force the drastic alternative upon himself if he 'waits' in a situation, where to turn and walk away after waiting would seem like he is 'backing down'. He may have to use the drastic alternative as a means of 'saving face'. Indeed, to walk away from anyone who uses this tactic may, itself, seem to be 'backing down'.

Sergeant: What's your name?

G: Kruschev Mao.

Sergeant: I don't believe you.

G: Give me a good reason. (meaning: Why you don't believe me.)

Friend of G: Because I told them it was G ____.

G: That's a good reason.

Two slightly less obviously false names were proffered in the following situation:

Two passengers in a vehicle involved in a minor accident proffered the names "William Wise" and "Wesely Western". In commenting on this later, one officer indicated the third passenger in the vehicle, a female, had, at that time, blurted out, "I didn't know your name was William.", to which the officer now added, "or Wise for that matter." The officer mentioned asking the men their names three or four times. The discussion of the names concluded with the officer stating, "The sergeant (who reviews accident reports) won't believe it. He'll send the report back. (that is, he will not accept it as adequate)"21a.

The following is a typical situation, and indicates the ways in which both retrospection and prospection play a part in the tactic of proffering false names.:

The man in this incident had been found in possession of three bottles of beer in the parking lot of a downtown cafe. The officer had talked to the man earlier that evening in conjunction with a J-walking incident. The man had just indicated to the officer that he had no documentary identification.

O: What's your name?

M: _____ (gives a name)

O: That's not what it was last time. (meaning: during the J-walking incident) It was _____. (mentioning the last name given during the J-walking incident)

M: No. It was _____. (repeating the last name he had just used).

The officer then stated, to no one in particular, but to all present, that if he issued a summons it would probably be made out to a phony name, so he might arrest M. A period of silence followed. The officer was supposedly 'considering it', although possibly just trying to worry M a little by making M think he was considering it. M just waited.

The result was that the officer confiscated the beer and let M go. The officer later stated that "He (M) might have been selling, not buying. (meaning: the beer)".

In the above, the officer seemed to realize that M could, and probably had, proffered a false name. The officer also undoubtedly knew that names

21a. The eventual fate of this report remains unknown to me.

are the primary means by which courts locate, and relocate if necessary, persons summoned to appear before the courts. The man had removed the issuing of a summons as a viable prospective possibility by: a) not carrying documentary identification, and b) providing what probably was a false name. A false address and possibly a false birthdate could also have been provided. (see section 3-3-4)

The unwarranted severity of an arrest seemed to remove the possibility of this as an alternative. If an arrest had been made, that the member eventually facing the courts was the-same-member-that had been found in the possession of the beer would have been provided by accountably continual physical presence. (c.f. section 3-3-1) That it is an accountable presence can be seen, in that no officers need be present if M was placed in a cell. His continued physical presence could be 'accounted for' even if M was not continually in sight of an officer, for example.

We should not lose track here of the fact that M's having proffered a false name would also curtail retrospective possibilities. In this case for instance, the officer's requesting a name check would have a high probability of failure.

The fact that the officer had seen M as the-same-person involved in the J-walking incident suggests the officer had used M's facial features, height, etc., and probably clothes as well, to provide such an identification. Such a style of identification could presumably have been used again, but it would not have provided an acceptable way to relocate M, if he did not appear in court. At times, relocation of members is attempted by facial features, that is, from photographs, especially in 'serious' cases where the person has no fixed address, but nonetheless is known to frequent a given area. However, this is not routine, and the difficulties involved

seem to remove this as an alternative in this case, as well.

3) Having other members proffer their identification.

The best example I have of this is the case where a landlady in a tenement block had a tenant call the police to lay what, in effect, was her complaint.²² The investigating officers were subsequently directed, by the dispatcher, to contact the tenant who called, rather than the landlady. During the investigation, the tenant told the officers that it, indeed, was the 'landlady's complaint', so the tactic was unsuccessful. It appeared the landlady did not want to be known to the police, because of the retrospective-prospective possibilities raised by the fact that she had literally 'torn the shirt off' the man she was complaining about. The landlady's identification was eventually recorded as 'the complainant for whom Mr. _____ called the police'.

There is also the case where one person uses another person's documentary identification. This seems a combination of tactics 2 and 3. In this case, in one sense, they are having someone else proffer his identification, but there is also a sense in which they are proffering false identification.

3-3-1 This section is intended to present two features about identifications, and a restriction on retrospective-prospective possibilities not introduced above.

1) All the above cases exemplify the restriction on retrospective-prospective possibilities available to the police. But, the police, themselves, at times are concerned with the retrospective-prospective possibilities their identification provides for others. My not realizing this,

22. This was done on the pretext that she could not speak well on the phone, but it later seemed she had quite adequate speech and hearing.

led me into the biggest blunder I made during my observation period.

On my second evening of patrolling, the officers I was with investigated an incident in which a man had kicked out a door panel in a downtown hotel. The man was found in a nearby parking lot and eventually removed by patrol wagon. The nervous little bar manager of the hotel had gotten the numbers of the two officers involved and had pulled out a cigarette package to write them on, but found he had no pen. As he began to walk back toward the hotel, quietly repeating the officers' numbers to himself all the time, I absentmindedly gave him a pen.

This was a 'blunder', as I later realized, because, in general, for officers only negative results can occur from being identified with such an incident. It is quite conceivable the manager might find something to complain about, but it is unlikely the officer would be complimented for their part in such a minor incident. Fortunately, the officers seemed willing to 'let me off' with a little good humored kidding about my 'not being on their side'. I most assuredly refrained from such actions afterwards.

2) More can usefully be said about a point that has not yet been made amply clear. It is the fact that members can provide for restrictions of the retrospective-prospective possibilities other members face. This is exemplified by the case of a youth, who, when asked from whom he had obtained a bottle of frozen beer, replied, "A friend." When pressed for the friend's name, the youth replied that it was really obtained from a "friend of a friend" and that he did not know his name and could not find out what his name was.

From this it appears that the youth was trying to 'save a friendship' by refusing to give the friend's name, and thereby eliminating the prospective possibility that, that friend would be approached by the police for supplying liquor to a minor.

Indeed, part of what is seen as a "criminal code" -- in the sense of a 'pact', or 'not ratting', or 'not squealing to the cops' -- is a concern for who one identifies and thereby provides for more or less specifi-

able prospective possibilities. For example, the case of a man who was injured in a fight badly enough to be taken to the hospital, yet who refused to identify the other man, because both he and the other man were "from Halifax", seemed to the officers who took the case as 'the following of a code'.

3-3-4

It was seen above that one of the means of being oriented to the non-detection of social troubles was to limit certain members' use of retrospective-prospective sense of occurrence, by limiting identifications of oneself or others. It turns out, as one might expect, that the police, as trouble discoverers, are oriented to the provision for identifications and, subsequently, for such retrospective-prospective possibilities.

The police practices I observed that indicated such an orientation were:

1) The keeping of official lists.²³

These lists include everything from lists of gun permit holders, to a file on "vag slips" -- that is, cards filled out on juveniles and their associates as a record of their contacts with the police. The retrospective-prospective possibilities associated with these lists include: knowing who is supposed to be in possession of a gun, and therefore, who is to be contacted in beginning an investigation, if a registered gun becomes involved in a crime; and knowing who a juvenile's friends are, and therefore, who to suspect as accomplices, if the youth is found to be one of a group that committed some offense.

23. These lists may contain, more or less, individual information, such as name, birthdate, address, telephone number, sex, height, weight, color of hair and eyes, tatoos, employer, etc.

2) The keeping of unofficial lists.

In addition to the names officers necessarily recorded for later inclusion in reports and official lists, several officers kept personal lists. Such listings are usually made from incidental contacts.

For example:

One winter evening two officers stopped to "check out" a man in a downtown parking lot who was using an extra battery to boost his car. They suspected it to be a stolen battery. As nothing could be proven and as there was no complainant, this incident probably would not be officially reported. One of the officers, however, took down the personal information of:

- 1) the man involved,
- 2) a female passenger in the man's car,
- 3) two more females who approached the car at this time,
- and 4) four or five men in a second car that tenuously fitted the description of a car to 'keep an eye on', and which drove up and stopped near the first car. Some of the occupants of this second car engaged in some quite minimal conversation with some persons in the first car.

The names collected in ways such as the eight or nine collected in the above incident, seem to have at least the following three uses, all of which depend on the prospective possibility of retrospective reinterpretation. These are:

1) The officers get to know the regulars of the area, so that the officers know where and by what name the persons can be relocated if necessary.

2) They can be used in ascertaining the associates of any given member if they become of concern, because that member has become known to be one of a group that engaged in some illicit activity.

3) As this information is given when it seems as if 'nothing is at stake', it can be used as information to be checked against information given if one of these members is encountered when 'something is at stake' and that member is much more likely to try proffering an incorrect identification'. This use requires that the member in some encounter be identified as the-same-one from whom the officer gathered information in some innocuous

situation. This can be done by visual means, which is one instance of the orientation presented in the following section.

- 3) Concern for the recognition of persons by face and/or by general appearance.

The following incident, though seemingly inconsequential and of little significance, demonstrates the points of concern here:

In the hole-in-the-screen incident (see section 3-1-3), upon realizing they should have searched the man they had seen by the screen door, for a stolen wallet, the officers drove back down the back alley to see if the man was still there. No one was in the immediate vicinity of the back door to the discotheque, but further along the back alley someone was starting a car and seemed to be preparing to clean some snow off the car windows. As the officers approached, it was easily seen by the man's clothes, hair-style, and facial features that this was not the man they had previously seen by the screen door.²⁴ The officers stopped, and the junior officer got out, talked to the man, and checked some documentary identification. He also 'had a look at' two passengers in the man's car. The junior officer then asked the senior officer, who was sitting in the car writing up a report, if he knew the driver. The senior officer asked the man to come over so he could 'have a look at him', glanced at the man for about one second, stated he did not know him, and went back to report writing.

The first point to note is that the prospective possibility of re-encountering and searching the-same-man as was previously seen by the screen door was obviously the officers' basis for re-entering the back alley. The driver found there was visually identified as not being the-same-man previously encountered. No request for his documentary identification was needed to ascertain this. The same holds true for the passengers in the man's car. Nothing other than the junior officer's 'having a look at them' was required to determine whether any one of them was the man encountered previously.

The junior officer's obtaining of the man's documentary identification,

24. The officers commented to the effect that they agreed it was not the same man, but my notes do not contain the actual words used.

and his having the senior officer 'have a look at him', also demonstrated concern for retrospective-prospective possibilities, but not possibilities strictly related to the hole-in-the-screen incident. These were now general concerns, such as possible name checks, seeing whether the senior officer recognized him as being connected with any past incidents, and providing for the prospective possibility that he would be encountered again when something was 'at stake' (see section 3-3-4#2, #3), or any of the other things such a contact might turn out to be.²⁵

Visual identification of a member as being the-same-member seems to occur very frequently. Cases where an officer looks away at something else and then looks back at a person he is talking to, or where someone goes out of an officer's sight to get or do something and then returns, or when officers 'recognize' persons they observe while cruising, all seem to depend on visual recognition of members as being the-same-members.²⁶

Visual identification has its own characteristic problems.²⁷ They are: 1) subject to memory limitations;²⁸ 2) are not easily, and may only be partially transferable from one member to another; 3) are only translatable into verbal or written identifications with some difficulty; and 4) are difficult to 'file' for future reference in any way other than mentally.

25. This includes everything from the incident, in retrospect, having turned out to be 'nothing of importance' to 'a chance contact with persons who just committed a serious offense not yet reported or known to the police'.

26. c.f. the case of George C. in section 3-3-2.

27. Note that these are 'problems' in terms of the legal-justice system's organizational purposes and constraints.

28. The records necessary for other means of identification are also subject to decay over time, but these problems do not seem to correspond in a one-to-one way with memory problems.

Visual identifications also have their own characteristic patterns of avoidance. This includes the growing of beards and other facial hair, changes in style of dress, and attention diversions. An example of the use of the latter tactic is the bank robber who wears a red baseball hat. Everybody notices the red hat, which the robber easily discards after the robbery, but most people forget the face that was under the hat.²⁹

and

4) The unofficial use of lists.

While official lists -- for example, those of witnesses, 'wanted' persons, and court appearances -- have their official uses, these lists at times are taken over and used for unofficial purposes; that is, purposes other than those for which the list was created.³⁰ Some of the unofficial uses to which lists are put demonstrate police orientation to provision for identification and subsequent retrospective-prospective possibilities.

One instance of this is the patrolling officers' consulting of "Court Disposition Sheets". These are lists that the officers in charge of the cell block are supplied with, from the courts, as to how the courts disposed of the cases to be heard that day. Such lists are supplied to the cell block as a means of informing the officers there of how cases were handled -- for example, found not guilty, charges dropped, released after fine, etc. -- and what the cell block personnel are to do concerning the completion of their own files, and concerning the handling of persons presently in the cells -- for example, hold for transfer to another jail, release on bail,

29. I am indebted to Staff Inspector Bishop of the Edmonton City Police Force for this example.

30. Note that the unofficial uses may be quite compatible with the official uses. See the following.

hold for court appearance, etc.

The basic uses to which patrolling officers can put such information is quite different. They can use it to ascertain who will be 'off the streets for a while'. If a person sentenced to two years, for example, was a car thief known to the officer, the officer can put off any special surveillance of the car thief's residential area for stolen cars, until the person is known to have returned to the streets. If the person was a bootlegger known to have control of services to some particular area, the officer might 'keep an eye out' for someone else trying to take over that area; in the process of which, such a 'newcomer' might make detectable mistakes, leading to possible action by the officer.³¹ The list of such prospective possibilities -- which are contingent upon the officer's identification of the persons the courts dealt with as being the-same-persons that the officer has had contacts with in the street -- could be considerably extended, but I see no particular benefit in doing so here.

Not all officers, however, use such incidentally, organizationally-available lists, and this style of the unofficial use of lists can thereby become the mark by which to recognize the 'keener', 'digger', or 'dedicated' officer. Indeed, it is not only court lists that are used. For example, an officer I patrolled with obtained a photocopy of a list of persons, compiled during the investigation of a murder in the 97th Street and Jasper

31. Not all the prospective possibilities connected with such lists directly concern the discovery of trouble. For example, if an officer was the arresting officer in a case resulting from some on-view incident, and the consulted list indicated the person had pleaded 'not guilty', a relevant and reasonable prospective possibility would be that the officer would be called to appear as a witness on whatever date had been set for that person's trial. An officer in these circumstances is concerned with his convenience, at least as much as with the discovery of trouble. (c.f. Turner 1969).

area.³² This list was used by the officer in the same way as were the personal lists officers compiled. (see section 3-3-4#2)

3-3-5 Given the orientation of some persons to the improper identification of themselves, one should not be surprised that the police have developed procedures for insuring, or at least attempting to insure, proper identifications. Such tactics are of interest here, both as tactics and as a means of furthering our presentation of members' use of the retrospective-prospective sense of occurrence.

1) Requesting documentary and verbal identifications.

The police routinely request to see documentary identification. This may be done either prior to, or following, a request for a verbal identification. The tactical aspect of such requests resides in the officers' doing a 'consistency check' between the two identifications.³³

The nature of the 'consistency' required for such a check is not an 'absolute match on all characteristics' type of consistency. This is ruled out by the simple fact that one identification is verbal while the other is written or printed.³⁴ However, there are other factors that also rule this out. In practice, the two identifications can be seen to be the same even if the documentary identification contains only the initials of the person's

32. Such a list naturally would not be a complete listing of the persons who frequent the Jasper and 97 Street area, even if only for the reason that it only contained information on persons who were around on the appropriate day. It also cannot be expected to contain entirely correct information (for example, the list in question contained the name of someone who the officer knew to have died of an 'overdose' since the incident), but such problems are no different than those the officers encounter while keeping their own personal lists. (see section 3-3-4#2)

33. A single request for a documentary or verbal identification, is not considered a tactic here. The tactical aspect arises in the attempt to 'check on' the consistency between items.

34. The reader might try comparing these on the variables of tone, color, and duration.

given names, while the verbal identification is expressed as the full names. Or, perhaps the verbal identification contains only the first given name, while the documentary identification presents both the first and second given names. Or, the verbal identification may only contain a nickname, while the documentary identification presents a full name.³⁵ Though a deeper discussion of this problem would inevitably lead us back to considerations of indexicality and the retrospective-prospective sense of occurrence, this will not be done here, as to do so would lead us too far astray from our present concern for identifications. However, it is accomplished, such a consistency check provides the basis for the following.

Independently of whether the verbal identification precedes the presentation of the documentary identification, or vice-versa, it is seen that the setting up of a possible consistency check, by the provision for the inability of the member proffering the verbal identification to unnoticedly consider the documentary identification at the time of proffering the verbal identification, requires the officer to exercise a prospective sense of occurrence. The tacticalness resides in the officers' prospective provision for forcing the member to proffer a consistent verbal identification, without the aid of any present consulting of the documentary identification. Providing a time gap between the two requests generally makes attempts at simultaneous consulting-presenting of identifications obvious.

This means that for someone to proffer an undetected false identifica-

35. The information found on documents, at times, also allows for consistency checks on sex, and approximate height, weight, and age. These other features probably being received visually, rather than audibly by the officer. (The currently invoked use of "documentary" does not correspond in any significant way with the use of "documentary" in the discussion of the "documentary method" in this thesis.)

tion, they now must be able to consistently produce the same false identification. For example, borrowing someone else's documentary identification, or simply making up a name (etc.) is no longer adequate once the individual faces the use of this tactic. One would have to obtain false documentary identification (which presents its own problems) and memorize the documentary information prior to encountering the instance in which this tactic was used, to be able to present a false identification which could not be discovered by this tactic.³⁶

That the separation between the presentation of the documentary and verbal identifications is the feature prospectively provided for, becomes evident if we look at what happens if someone tries to 'bring them together'. Someone who is asked for his documentary identification and, then, while the officer still has possession of the documents is asked to proffer a verbal identification,³⁷ and who insistently asks for the documents back so 'he can look at them' before giving his verbal identification, would be seen as giving the officer a reason to doubt the man's identification, just as if the man had proffered an inconsistent identification. By attempting to avoid the prospectively provided for separation of the verbal and the documentary identifications, the person would be seen in the same way as he would if he had been unable to proffer a consistent identification. Competent members of society are taken as knowing these things without having to 'look them up'.

36. Not carrying any documentary identification at all would also seem to be one way to effectively combat this tactic. The following two tactics, however, would remain effective in this case.

37. This would be the more obvious of the two orderings of the requests for the identifications. In the opposite ordering, verbal-then-documentary, the 'explanations' that the officer forgot the name, and that the exact spelling was required, are available as 'reasons why the documentary identification was asked for'. The documentary-then-verbal ordering provides for no such easy alternate explanations.

Likewise, if, when he was asked for a verbal identification, he reached in his pocket, pulled out some documentary identification and proceeded to produce the verbal identification by reading from the document, he would again have his ability to proffer consistent identifications questioned.

This tactic, however, cannot provide for a proper identification. It only provides a means of checking for possibly improper identifications. Even after it is found out that a member cannot, for example, proffer a verbal identification that is consistent with the documentary identification he gave the officer, there still remains the problems of establishing the person's correct identification. In retrospect, the verbal, or the documentary, or neither of these, may turn out to have been correct all along. This tactic, itself, cannot provide for the content of such a retrospective reinterpretation. It can only provide for the relevance of such a retrospective reinterpretation.

2) The repeat.

In cases where a person has no documentary identification, yet proffered a verbal statement of his name, and possibly birthdate as well, or where an officer cannot request documentary identification,³⁸ yet wants to check the verbal identification, the officer can ask the person to repeat the verbal identification again. Having noted the information the first time, this provides for a consistency check. I have seen this effectively and unobtrusively used by officers on numerous occasions. On first approaching a situation, they ask for a person's name and birthdate. When they come to

38. For example, I saw this tactic used on a guest in a house to which the police had been called in a theft complaint. The man, though not at all related to the complaint, seemed willing to verbally proffer his name (twice), but it seemed the officer would have been asking too much of an 'unrelated' individual if he had asked for documentary identification.

write the information down after finding out 'what happened', they ask for the information again. That is, they remember the information for the few intervening minutes -- which is not too difficult with a little practice -- and then mentally check it³⁹ with what is proffered as 'the information to be recorded'. The unobtrusiveness of this tactic emerges because the person proffering the information may not realize that he is giving what, to the officer, is 'the same information in detail again'. It seems most common for persons to feel they are 'saying it again because the officer could not remember the details well enough to write them down'. In general, the officers may indeed 'forget some, or all, of the details', and be doing precisely this, but sometimes they are using the tactic.

The 'sometimes' aspect of this tactic is more than a minor feature of police procedure. In it can be found considerations relevant to the whole range of discussions presented thus far in this thesis. For the member trying to proffer a false name, it can be seen to depend on:

- 1) the documentary method (The situated occurrence is seen as being indicative of, or as evidence of, the officer's possibly trying to trap him.)
- 2) the prospective sense of occurrence (His 'figuring' concerning what the officer might reasonably be seen as being up to.)
- 3) the retrospective sense of occurrence (His concern that the first name request might have been part of the repeat tactic all along. [See this section's first paragraph]).
- 4) multiple courses of activity (Is the officer 'trying a tactic' or is he simply 'trying to get it right'? -- see section 2-6), and

39. Or whatever parts of it they remembered. c.f. The case in section 3-3-3-#2 where the officer only remembered the man's last name.

5) indexicality. (The 'sense' in the officer's second name request cannot be made out independently of knowing the officer's purpose. See section 2-1)

As all of these have been discussed at length elsewhere, I will confine myself to a discussion of a further notion which the 'sometimes' aspect of this tactic makes evident.

First, we must note that the successful use of the repeat tactic, just as in the previous tactic we discussed, allows the user of the tactic to know that there was an attempted deception, not what the content of the deception was. The officer who asks for a repeat, and who gets a different name in reply, has discovered a deception-attempt,⁴⁰ but he does not know which name, if either, is correct. This can be carried even further, in that to let it be known that one noted an officer might be attempting a checking-type tactic, one, thereby, also lets it be known that one notices the possibility of checking tactics. This opens the person up to the question of 'What would be the course of activities that person was engaged in which would bring about his noting of such a possibility?' For the officers, the relevant reply to this is usually 'Someone who is giving a false name and does not want to be caught doing so.' The basic point being made here is that, for trouble discoverers, one of the things that can be made out to be relevant information about a person is what that person sees as being possible checking tactics, or that, that person sees things as possible checking tactics.

This allows the 'sometimes' aspect of the repeat tactic, itself, to have a tactical effect. When an officer asks for a repeat without having remembered the name first proffered, there is no tactic in the repeat, but there remains a tactic for the false identification profferer, who, when having the

40. This is what Goffman 1969:53 calls a "deception clue".

repeat requested of him, recognizes the repeat as a possible tactic. That he recognized it as a tactic must now be covered or hidden. This complicates the occurrence, as seen by the person oriented to tactics as a means of avoiding those tactics' effective use. Such persons are placed in a position of having to keep track of what is and what is not being used as a tactic, as well as the content of each of the possible tactics. 'What is going on', for such persons, becomes a considerably complicated 'going on', the complexity of which, itself, must be covered, lest the person come to be seen as engaged in activities requiring such an orientation to tactics.

It is this feature of the gaining of an extra tactic at times when no tactic is being used -- which is due to the fact that certain occurrences can sometimes be used as tactics -- that is intended to be reflected in my use of the term 'sometimes-tactics'.

One should not conclude that all tactics are sometimes-tactics. The first tactic presented in this section (the documentary-verbal consistency check) is a sometimes-tactic, while the 'modified repeat' as presented below is not, if it is used during the presence of the person, and is, if used in the absence of the person or when his attention is diverted elsewhere.

3) The modified repeat -- asking someone who should know.

The following is a conversation that occurred while an officer was investigating a complaint about a female juvenile who had refused to pay her cab fare. She had previously proffered a name (here abbreviated as E.), birthdate, and address to the officer; which he had recorded. Several of her friends had accompanied her out of the downtown discotheque, onto the sidewalk in front of the discotheque, where the following exchanges occurred:

O to female friend of E: What is her name?
Female friend: She told you.
O to male friend of E: What is her name?
Male friend: She told you.
E: I told you it was E _____.
Male friend: She told you what it was.

The first statement by the officer, in the above, can be seen as his asking for a repeat of the name the female had previously proffered, and he had previously recorded. Yet, it is not a simple repeat. The officer is asking for the same information to be proffered again, but this time proffered by a different member. The effectiveness of this 'modified repeat' does not come solely from the name profferer's memory problems, as in number 2 above. It comes also from differences in attention or orientation, which can have influenced the friend's initial perception of the name and the friend's memory of the name, as well as the friend's previous preparation.

If the friend had come out of the discotheque 'just to see what happened when E. talked to the police', the friend might simply have noted E. gave a false name, and not meticulously noted the particulars of that false name. The friend could have then been watching to see if the police 'would catch her at it', never even having considered that one of the ways for the police to 'catch E. at it' would be to ask E.'s friends to repeat the name.

Also, it would be rather unlikely for the friend to have prepared herself by memorizing her friend's false identification beforehand. The extra effort of doing so would seem prohibitive given the unpredictable⁴¹ nature of the instances when such preparation might come in useful.

In the above data, the female friend replied to the officer's question in such a way as to: a) not formulate a name, and b) yet be consistent with the name proffered by E. This constitutes 'avoiding the question', as it

41. For example, E. would have trouble predicting: which of her friends would be around at the time of the incident (therefore who she should tell her false identification to), when or if the police would come (the cab driver might simply 'forget about it'), if at the time of the investigation she would be separated from her friends (for example by the police having her get into the police car), or even if the police would ask E.'s friends to proffer E.'s identification.

provides a set of words to fill the 'slot'⁴² created by the question, in such a way that the tactical aspect of the question is inoperative. The female who 'came up with' the reply that achieved this (namely: "She told you.") can be seen as being 'quick witted', or 'sharp' because of her intentionally uttering such a reply.

The following would have provided the female friend with another way of replying, while still avoiding the tactical aspect of the officer's question. It should be noted that the modified repeat is only applicable in cases where the member using the tactic sees the two or more persons between whom there is to be a consistency check, as knowing the information that is to be checked for consistency. In the case presented here, it seems rather straightforward to suggest that friends should know one another's names. Birthdates, home addresses, and middle names would seem to be the kind of information friends sometimes know about one another. The point being made here is that the female friend might have tried to avoid the question by claiming she was not a friend of E and/or did not know E well enough to know her name. Indeed, this was the tack E's male friend used when he re-encountered the same officers a few minutes later. That conversation started as follows:

Officer to the male friend who was walking past the stopped police car, while the officer was writing up a report of the incident.

O: What's her real name?

Male friend: She told you. E _____. I really don't know, I'm just her boyfriend from tonight.

If, in the original incident, the female friend had replied by using a construction similar to the last part of the male friend's statements (for example: 'I really don't know, I just got to know her tonight. '), the tactical aspect of the officer's question would have been avoided. But by replying in this way, the female friend would have probably subjected herself

42. See Sacks 1966b for a fuller exposition of the notions of item and slot.

to being asked to leave the area where the police were doing the investigation, because she would have also thereby removed herself from any connection with the case, in the officer's eyes.

Continuing on with the discussion of the data presented at the beginning of this section, we see that the officer's second use of "What's her name?" again uses the modified repeat tactic. When the male friend offers the same reply as did the female friend; namely "She told you.", the question is successfully avoided just as before. However, two new aspects arise.

The first is that the statement's ability to label the speaker as 'quick witted', etc. seems to have been lost, for now the reply might have been 'copied' from the previous reply. The female friend's statement also might have been copied by her modeling of some reply another person had proffered in some earlier incident, yet this possibility does not seem to label it as 'copied'. Precisely what it is that differentiates these two cases is not readily apparent, but possible explanations include: 1) that neither the reader nor myself know of such a previous incident where E could have observed a model; 2) the time lapse between such a modeled incident and E.'s copying the incident would be considerably different than that between the female and male friends' answers; and 3) the specifics of what had occurred between the modeled incident and the copying, in the different cases.

It is interesting to note that, although the officer's second question is the same as his first, it does not appear as his copying himself. It is closer to 'repeating' or 'continuing to', rather than copying.

The second thing is that the male friend's reply of "She told you." begins to show a 'pact-like' resisitance. This seems closely related to the notion of copying, but again I have no adequate explanation of why this should be seen as such.

It should not be assumed that when a modified repeat request is countered with a reply such as "She told you what it was.", the officers gain nothing. They, at least, gain the knowledge that they are being resisted, and perhaps are even provided with specifics to which they can point, if it becomes necessary to convince others that the persons present were resisting or being unco-operative. Officers, at times, seems to assume they are being resisted, on the basis of time, area, and the persons involved. (For example, if they encounter a person with a known criminal record at 3 a.m. in an establishment known to cater to rougher types of people.) In these cases, such a reply would simply reassure the officers of what they had assumed. In cases where they may be uncertain if the person was going to resist them, or not, answers such as "She told you what it was." serve to make them sure of their being resisted.

When E voluntarily provides the statement "I told you it was E _____.", she provides an opportunity for her friends to 'take note of', 'pay attention to', or 'remember' what she claimed her name was, thus stifling any continuance of the questioning on this point by the officer's use of the modified repeat. The officer's further use of the modified repeat might have already been stifled in that it would seem obvious to anyone listening in, that he could keep on asking the same question and getting the same answer until the supply of friends of E was exhausted.

The final statement in the above set of data ("She told you what it was."), which was made by the male friend, was constructed in the same way as the resistive procedure preceding it (No name formulation, yet provision for consistency), despite the fact that the procedure of stating 'the same name' was not available, and was known to be known as available, since E had

again provided it. By specifically not making use of the name as provided by E, the male friend seems to deny that E's proffering of the name provided a preferable alternative, thereby supposedly indicating the name was 'really known all along'. He was prospectively oriented to the fact that a further construction based on the absence of the name, when that name was known to be known, would be an attempt at providing for the retrospective reinterpretation that the name was 'really known all along'. The absence of the name in his statement is a non-trivial absence. (Again see Sacks 1966b.)

To attend to this possibility; namely that the male friend intendedly proffered a construction in which the name was non-trivially absent would stand as the officer's 'being suspicious', 'remaining unconvinced of the reinterpretation' or seeing that the male friend was 'trying to cover things up'. For the male friend, attending to the same prospective possibility would be 'attempting to cover it up' (possibly successfully), 'playing it smart', and even 'closing the subject'.

3-3-5-1 The modified repeat tactic as specified at the beginning of section 3-3-5 is not a name-specific tactic. For example, I have seen the wife of a man who had a few minutes earlier given an officer his name and birthdate, asked by the officer, to tell the officer, the man's birthdate.

Nor is the tactic applicable only to knowledge of personal identifications. In the following incident an officer uses the modified repeat in ascertaining who was to be the driver of a car.

In the same incident reported in section 3-3-4#2, where the police approached a man boosting his car with an extra battery, which the police suspected of being stolen, the man who was starting the car was found to have had his drivers license suspended. When the officer asked him who was going to drive the car, he replied "A friend", whom he indicated was in a bar across the street. A female who approached the car shortly afterwards and who talked as if the man was to give her a ride home was asked: "Who is

going to drive?" (meaning: drive the car). She was silent a moment, and then looked at the man, but she gave no definite response. The officer later commented that "She pointed the finger right at him."

3-3-5-2 It was seen above (section 3-3-5#3) that how one handles one's replies to a modified repeat question can label one as 'sharp' or 'quick witted'. The opposite is also true. One way to 'blunder' or to show one's 'dullness' would be to unwittingly reply to such questions with what one knew as the truthful information, if one were the friend of someone concerned with deception.

An even greater 'blunder' would be to offer such a response without even having been asked the question which normally 'sets up' the modified repeat tactic. A case of this has already been presented. In section 3-3-3#2, the case of the man offering the false name of "William Wise" was presented. The female passenger in the vehicle, who simply blurted out "I didn't know your name was William.", by volunteering the information that she, indeed, did not know the man by the first name he proffered, gave the officer precisely the kind of information a successful use of the modified repeat would have given him. This constituted a 'social blunder', as even her silence would have been more helpful to her companion, if indeed, she wanted to help him.

3-3-6 This section is intended to present some miscellaneous points concerning members' use of the retrospective-prospective sense of occurrence and identifications.

3-3-6-1 The use of names, etc., as a means of providing identifications of a member as being the-same-member involved in some other incident, is not the only way names, etc. are related to retrospective-prospective possibilities.

Names can retrospectively provide for members' courses of activity.

At the beginning of my first day of patrolling with the police, the officers I was with spotted two stylishly dressed young females hitch-hiking on Jasper Avenue. They suggested I should "Have a good look at them.", be-

cause "They are guys." I was left wondering if it was true or if the officers were trying to see how gullible I was, so I simply said nothing. The officers drove around the block again, so I could "have a good look at them." The pair had moved a few feet further along the street and the officers approached them and talked to them. During the talk, one officer asked for their names, to which they replied with male names -- that is, names in which the first name was a male name. I was no longer skeptical of having been fooled by the officers, and now saw the two hitch-hikers as transvestites, possibly 'out for kicks' by trying to see 'who they were good enough to fool'.

The names proffered in the above did not provide for my retrospective reinterpretation by relating these persons to some previous occurrence in which I had had contact with them. The retrospective reinterpretation seemed to rest solely in the fact that they looked like females and that they gave male first names.

That names can provide for reinterpretations, without linking a member to some previous event that member was involved in, becomes even more apparent when we note that the names also provided for my retrospective reinterpretation of what the officers were doing. They are now seen as 'having been serious all along', and not 'attempting to trick or fool me.' The fact that the transvestites' names let me reinterpret what the officers were up to could not possibly have functioned by providing a link with previous incidents the transvestites had been involved in.

Another instance where an identification provided for a reinterpretation of an activity without the identification being used to provide that this person was the-same-person involved in some particular previous incident, is the following:

A complaint brought an officer to the home of a youth who had been writing "B.S." all over the public sidewalk in front of his home, in chalk. Upon inquiring as to why the youth was being allowed to write obscene remarks on public property without any obvious parental criticism, the officer was informed that it was not "obscene remarks" that were being written; "B.S." happened to be the initials of the youth involved.⁴²

42. This incident did not occur during my patrolling with the police. It came from my personal contact with the boy and his mother.

3-3-6-2 It is important to note that the prospective possibilities provided for by identifications are not always single possibilities. Given more than one prospective possibility, it becomes possible for provision for some particular prospective possibility to be used as a cover for the provision for other prospective possibilities.

For example:

One evening an officer talked of requesting the identification of a hatcheck girl by asking for her "husband's last name". Her response to this was that she was "single".

Her marital status, along with with her name, address, and telephone number, could provide for several prospective possibilities not normally associated with offering one's identification to the police. A future, personal and unofficial contact being one of them.

Likewise, provision for one retrospective reinterpretation by way of an identification can be used to cover other reinterpretations.

For example:

One evening an officer was 'checking out' a man (whose name I will abbreviate as G.H.), as possibly being wanted on a warrant made out to a name I will abbreviate as A.B. During the investigation, the officer asked G.H. if he had ever used the name A.; to which G.H. replied he had not. The officer later 'explained' his questioning by saying they were looking for a man named A.H.; that is, a name made up of the first name on the warrant and the last name of the suspect.

For G.H., this contrived name offered the possibility of a retrospective reinterpretation of why he, G.H., should be so questioned, this reinterpretation being that his name was much like some wanted person's name. But this reinterpretation was a reinterpretation the officer had prospectively provided for, as a cover for the reinterpretation that they had really suspected G.H. of being A.B. and of giving G.H. as a false name.

The reader should note that the necessity of multiple prospective and retrospective possibilities parallels the necessity of multiple courses of activity (section 2-6) when we begin to speak of 'covering' activities.

3-3-7 Sections 3-3-7-1 to 3-3-7-3 present a diversity of considerations, all of which are directly related to both our concern for trouble discovery and the retrospective-prospective sense of occurrence.

3-3-7-1 That the use of places or locations can be instrumentally incorporated in the use of the retrospective-prospective sense of occurrence, is clearly indicated in a statement an officer made one evening while talking about a club known to cater to homosexuals. He indicated that he had gone in one time 'just to see what it was like', and that he had seen "about ten business men in there, he⁴³ would never have suspected (of being homosexuals)." The simple fact that the officer⁴⁴ had seen these men in the club building provided for the retrospective reinterpretation of these men as 'suspected homosexuals', instead of just 'ordinary businessmen' which they had previously been, for the officer.

The potency of such reinterpretations on the basis of the location in which someone is found is seen in the following:

Officer, upon seeing a smartly dressed female come out of the club mentioned above,

O: Is that a guy? ...not sure. Looks like a female. But you⁴⁵ can't tell for sure.

In this case, the establishment from which the female departed was enough to provide for the officer's pointedly noting the prospective possibility of retrospective reinterpretation of what normally, and indeed even to the officer at present, looked "like a female", as being a 'transvestite'. Independent of whatever the reader might make of the fact that it was a 'homosexual' club and not a 'transvestite' club,⁴⁶ which produced the officer's

43. The officer stated "I", in place of the "he", which was inserted here to retain the proper sense of what was said.

44. Who, incidentally, was off duty at the time he entered the club.

45. My notes are unclear as to whether the officer said "I" or "you" here.

46. For example, officers' lack of an in-practice distinction between these types of behavior, or the officer 'made a mistake'.

orientation to the prospective possibility of retrospective reinterpretation, it seems as if it cannot be denied that it was the female's behavior -- namely, exiting from the club -- that provided for such a reinterpretation.

3-3-7-2 Retrospective reinterpretation should not be thought of as only being applied to members' courses of activity. Objects such as cars are also subject to frequent reinterpretations. This often comes about, for instance, because of police use of what is called a "stolen car check". This is similar to a name check, in that an officer can call the dispatcher to have the license number of a car checked to see if it is listed as a stolen vehicle. In cases where an affirmative response is given by the dispatcher, the officer is in a position to reinterpret what he previously saw as, perhaps, 'a suspicious car', or, perhaps, 'an illegally parked car', as 'a stolen car'. License plates function in a way comparable to identifications, and are subject to many similar types of tactics for evasion and detection.⁴⁷

Not all retrospective reinterpretations of what objects are, are based on registration-type identifications. During a police investigation of a fight in which a man had been injured seriously enough to warrant his being taken to a hospital for tests, the man who had beaten the injured man walked away from the officers into a nearby kitchen and returned carrying a handgun. He walked directly past me into another room where two officers were questioning another man. I mentioned the handgun to a third officer, who was in the same room I was in, whereupon the officer told me that they had found the gun on the man (in his front pocket to be exact) before I arrived and had determined it was just a starter's pistol. My relief, though it was not complete, seemed to rest on the reinterpretation of 'the handgun'

47. For example, evasions includes switching license plates, removing license plates, and obtaining foreign license plates. Detection tactics include checking to see that front and back license plates are the same, and tricks for remembering license numbers, or at least enough of them that if a match on the remembered part is obtained, a closer check would be worthwhile.

as 'a starter's pistol'. Note that this reinterpretation did not depend on a 'registration'-type of identification, but rather on an identification as to the nature of the object concerned.

3-3-7-3 I shall end this thesis with a few theoretical-methodological comments that I feel are of considerable importance, but which lack commensurate attention above.

There were two points which were continually underplayed in proportion to their importance in the preceding, because of a lack of an adequate means to include them. The first is 'attention', and the second is 'to know' and its attendant problems of 'I know, you know.', 'I know, you know, I know', etc. Both of these seem to be of pervasive concern, but no adequate way to handle them within the confines of this study was readily available. Both attention and knowing seem to present severe definitional, theoretical, and measurement problems. In some senses my discussions of indexicality, the retrospective-prospective sense of occurrence, and the documentary method, begin to touch upon these problems. However, my consideration of these issues does not comprise a fully proper treatment of these problems. I feel obliged to present the following list of materials that seem to be of direct relevance to such concerns, and to recommend, in closing, their careful consideration by the interested reader: Dreyfus 1972, Garfinkel 1967, Garfinkel and Sacks 1970, Hanson 1969, Pribram 1971, and Scheffler 1967.

BIBLIOGRAPHY

Bar-Hillel, Y.

- 1954 "Indexical Expressions." *Mind*. 63:359-379.

Bittner, E.

- 1965 "The Concept of Organization." *Social Research*. 32:239-255.
1967 "The Police on Skid-Row: A Study of Peace Keeping."
American Sociological Review. 32(October):699-715.

Black, D.F.

- 1970 "Production of Crime Rates." *American Sociological Review*
35(August):733-748.

Black, D.F. and Reiss, A.J.

- 1967 "Patterns of Behavior in Police and Citizen Transactions."
in *Studies in Crime and Law Enforcement in Major Metropolitan
Areas. Vol. 2, Field Surveys III*, Washington: Government
Printing Office.
1970 "Police Control of Juveniles." *American Sociological Review*
35(February):63-77.

Bruner, J.S. and Postman, L.

- 1949 "On the Perception of Incongruity: A Paradigm." *Journal of
Personality* 18:206-223.

Cicourel, A.V.

- 1970 "The Acquisition of Social Structure: Toward a Developmental
Sociology of Language and Meaning." Pp 136-168 in J. Douglas
(ed.) *Understanding Everyday Life*. Chicago: Aldine.

Douglas, J.D.

- 1970 *Understanding Everyday Life: Toward the Reconstruction of
Sociological Knowledge*. Chicago: Aldine.

Dreyfus, H.L.

- 1972 *What Computers Can't Do: A Critique of Artificial Reason*.
New York: Harper and Row.

Elliot, H.C.

- 1968 "The Similarities and Differences Between Science and Common
Sense. Is Sociology Primarily a Science?" unpublished manu-
script.

Farber, M.

- 1943 The Foundation of Phenomenology. Cambridge, Massachusetts:
Harvard University Press.

Garfinkel, H.

- 1967 Studies in Ethnomethodology. Englewood Cliffs, New Jersey:
Prentice-Hall.

Garfinkel, H. and Sacks, H.

- 1970 "On Formal Structures of Practical Actions." Pp 337-366
in J.C. McKinney and E.A. Tiryakian (eds.) Theoretical
Sociology: Perspectives and Developments. New York:
Appleton-Century-Crofts.

Goffman, E.

- 1969 Strategic Interaction. Philadelphia: University of Pennsyl-
vania Press.

Goodman, N.

- 1966 The Structure of Appearance (2nd. edition). New York:
Bobs-Merrill.

Guralnik, D.B. (ed.)

- 1970 Webster's New World Dictionary, Second College Edition.
New York: World Publishing.

Hanson, N.R.

- 1969 Patterns of Discovery. Cambridge: Cambridge University
Press.

Hill, R.J. and Crittenden, D.S. (eds.)

- 1968 Proceedings of the Purdue Symposium on Ethnomethodology.
Department of Sociology, Purdue University, Institute Mono-
graph Series Number 1.

Hodges, J.C. with Whitten, M.E.

- 1962 Harbrace College Handbook, 5th edition. New York: Harcourt,
Brace and World.

Kitsuse, J.I.

- 1964 "Societal Reaction to Deviant Behavior: Problems of Theory and Methods." Pp 87-102 in H. Becker (ed.) Perspectives on Deviance THE OTHER SIDE. New York: Free Press.

Kitsuse, J.I. and Cicourel, A.V.

- 1963 "A Note on the Uses of Official Statistics." Social Problems 11(Fall):131-139.

Mack, J.A.

- 1972 "The Able Criminal." unpublished manuscript.

Mewett, A.W. and Martin, J.C.

- 1964 Martin's Annual Criminal Code. Toronto: Canada Law Book Company.

Parsons, T.

- 1937 The Structure of Social Action. Vol. I and II, New York: Free Press.

Piliavin, I. and Briar, S.

- 1964 "Police Encounters with Juveniles." American Journal of Sociology 70(September):206-214.

Pribram, K.H.

- 1971 Languages of the Brain: Experimental Paradoxes and Principles in Neuropsychology. Englewood Cliffs, New Jersey: Prentice-Hall.

Reiss, A.F. Jr.

- 1971 "Systematic Observation of Natural Social Phenomena." Pp 3-33 in H.L. Costner (ed.) Sociological Methodology 1971. San Francisco: Jossey-Bass.

Russell, B.

- 1940 An Inquiry Into Meaning and Truth. New York: Norton and Company.

Sacks, H.

- 1963 "Sociological Description." Pp 1-16 in D. Sudnow (ed.) Berkeley Journal of Sociology Vol. 8.
- 1966a Unpublished Mimeographed Draft of Introduction to 'The Search for Help: No One to Turn To'. doctoral dissertation. Department of Sociology, University of California at Berkeley.

- 1966b "Lecture Notes." University of California - Los Angeles:
Department of Sociology.

Sacks, H.

- 1972a "An Initial Investigation of the Usability of Conversational
Data for Doing Sociology." Pp 31-74 in D. Sudnow (ed.) Studies
in Social Interaction. New York: Free Press.
- 1972b "Notes on Police Assessment of Moral Character." Pp 280-293
in D. Sudnow (ed.) Studies in Social Interaction. New York:
Free Press.

Scheffler, I.

- 1967 Science and Subjectivity. New York: Bobbs-Merrill.

Schegloff, E.A.

- 1972 "Notes on a Conversational Practice: Formulating Place." Pp
75-119 in D. Sudnow (ed.) Studies in Social Interaction.
New York: Free Press.

Schutz, A.

- 1970 Reflections on the Problem of Relevance. R.M. Zaner (ed.).
New Haven: Yale University Press.
- 1971 Collected Papers. Vol. I and II, (3rd. edition), M. Natanson
(ed.). The Hague: Martinus Nijhoff.

Skolnick, J.H.

- 1966 Justice Without Trial: Law Enforcement in Democratic Society.
New York: Wiley.

Stinchcombe, A.L.

- 1963 "Institutions of Privacy in the Determination of Police
Administrative Practice." American Journal of Sociology
69(September):150-160.

Sudnow, D.

- 1965 "Normal Crimes: Sociological Features of the Penal Code in
a Public Defender Office." Social Problems 12(Winter):
256-276.

Sudnow, D. (ed.)

- 1972 Studies in Social Interaction. New York: Free Press.

Turner,R.

1969 "Occupational Routines: Some Demand Characteristics of Police Work." mimeographed, Presented to the CSAA, June.

Turner,R.

1970 "Words, Utterance, and Activities." Pp 169-187 in J. Douglas (ed.) Understanding Everyday Life. Chicago: Aldine.

Weber,M.

1949 The Methodology of the Social Sciences. E.A. Shils and H.A. Finch eds. and trans. Glenco, Illinois: Free Press.

Wilson,T.P.

1970 "Normative and Interpretive Paradigms in Sociology." Pp 57-79 in J. Douglas (ed.) Understanding Everyday Life. Chicago: Aldine.

Zimmerman,D.E. and Pollner,M.

1970 "The Everyday World as a Phenomenon." Pp 80-103 in J. Douglas (ed.) Understanding Everyday Life. Chicago: Aldine.

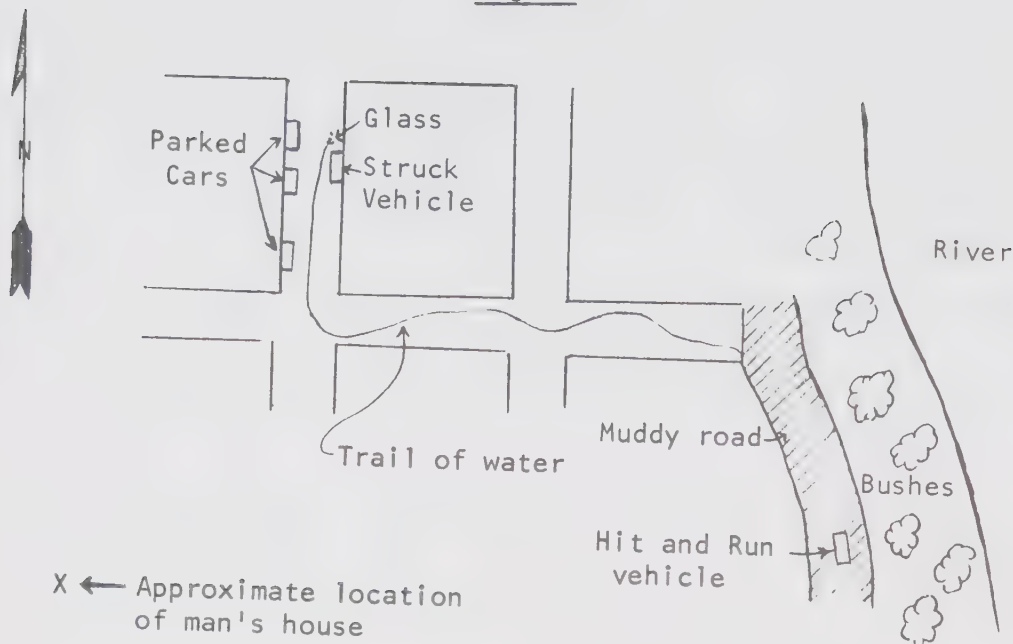
APPENDIX I

Data Supplement

The incident presented in this appendix is supplied here: 1) because it is unusually long and complete for the style of recording I used, 2) because there seems to be a general sparsity of this type of data, and 3) because it is a means of presenting the contexts of several examples used in the preceding discussions. These examples occur in sections: 2-4-1, 2-6-1-1, 2-6-1-2-2, 2-6-1-2-3, 2-9-4, 2-9-5, 2-10-7 and 2-10-12.

The following incident occurred April 8, 1972, beginning at approximately 11:43 p.m. The police were called to a non-injury hit and run accident. A parked car had been struck by a car which was identified by color, year, make and model, as well as license number. The owner of the parked car had come out of his house upon hearing the noise of the accident. The approximate location of the hit and run driver's house was offered, because the hit and run vehicle was known to the owner of the parked car, as a 'regular' in the area. Only a partial description of the driver was given. The description was simply that of a male between 45 and 50 years of age. According to the glass on the ground, the parked car had been pushed back about six feet by the impact (a point the officers did not note until returning to the scene with the 'hit-and-run driver' in their car), although damage appeared slight. A trail of water, from the punctured radiator of the hit and run vehicle, was followed. The car was found parked in the middle of a muddy street a few blocks away. (See Fig. 1). The officers looked for tracks, took paint chips from the fender of the hit and run car for evidence, called a towtruck, and asked for a registration check (via radio) so they could locate the owner of the hit and run car as the vehicle was locked and the registration in it could not be checked.

Fig. 1



Officer, while waiting for the towtruck to arrive:

O: Why'd he come this way when he lives over there?

O: He'll have trouble explaining that.

The officers' talk indicated that they wanted to go to the owner's residence as soon as his address was ascertained but they did not want to leave the car as 'he might be sitting in the bushes waiting for us to leave' and take the car as soon as we leave.

O: He's probably home calling it in as 'stolen'.

An officer suggested the owner might say he had just woken up and had checked around and had noticed his car was stolen. If this was the case, the officer suggested, he could be charged with 'public mischief' for misleading the officers into an investigation.

Immediately after the towtruck arrived the officers went to the man's home. A few small mud marks were found on the outside steps and one officer picked up, and examined, a boot that was on the front porch, but found no

mud on it. The landlady let the officers in and ushered them upstairs to the man's room. (A little more mud and a dry leaf were found on the stairs.) The officers knocked on the door and it opened. They tried to rouse the man who was sound asleep. While one officer went back to the car to get some amonia capsules to awaken the man, the other commented that they no longer had an 'impaired' charge as he could say he "came home and belted down some booze." (He also pointed out a considerable amount of wet mud on the man's shoes.) It took two amonia capsules to rouse the man.

O: Where were you driving this evening?
M: (couldn't make out a definite response)
O: Where is your car?
M:
O: You left it at a neighbor's at 92-93 St.?
O:
M:
O: Where were you before you came to bed?
M: Where was I before I came home?
O: Yeah.
M: At a friend's.
O: How did you get home?
M: What do you mean, how did I get home?
O: Exactly what I said. How did you get home?
M: I walked.
O: Let's see you get up.
M: I don't feel so good.
O:
O: How did you get mud on your shoes?
M: From the back lane.
O: What back lane?
M:(walking home).....
M:it's frsh mud. (While looking at shoes).
O: How about on 87 St. where you left your car?
M:(unidentifiable - something about a car).
O: It's all smashed up.
O: Who did you run into?
M: I didn't.
O: Someone saw you. What have you got to say about that?
M: (No response).
O: Get up.
:
O:
M:(getting up)
O: Where did you get the mud and grass and dry leaves?
M: Anywhere.....(comments that: 'You could get it anywhere outside in this area.').
O: What time did you come in last night?
M: I don't know.

O: How long ago?
M: I don't know.
O: How long ago?
M: A couple of hours.
O: (Looked at time now)
: must have been midnight anyhow.....
M: Someone -- a friend -- drove me home because it was steaming.
O: His story has changed already. At first he wasn't driving.
(This was said to me but it was loud enough for the man to hear.)

The man went to the washroom across the hall and spent some time there with an upset stomach.

O: "He's talking too much now."

Something was mentioned about the man's bed. An officer also pointed out that there was a light on in another room across the hall. As the man left the washroom, I noticed dry footprints parallel to the ones just made by the man's wet shoes. The dried soil was almost the same color as the linoleum floor, which explained why it was not noticed earlier by the officers.

O: Have you got the keys?
M: Sure I have.
O: Let's see them.
M: Who the hell else would have them?....definitely didn't leave them in the car.
O: Do you have the key.....
M: What are you talking about?
O: Do you have them. I want to know.
M: They are in the car eh????
One key I got.
One key yes.
O: How many you got?
M: What do you mean "How many?"
O: You said "just one". How many have you got?
:
O: What coat were you wearing tonight?
:

M lights a cigarette. O jokes that he should "light the other end". M looks for his driver's license and glasses. O "helps" M look for his glasses in the closet, under the bed, and in and on the night-stand. (An "unofficial" search.) In police car, on the way to M's car:

O1: Where did you leave your car?

O1: Where did you leave your car? Over there?

M: By the river.

O2: By the river?

M: No.....Riverdale. She stalled on me.

O1: Why did she stall?

M: I don't know. Some guy says "Paul" she's steaming.

M gets out of the police car and looks for his glasses in his car.

M: Well I know I hit something.

O: You know you hit something?

M: Yeah.

There was some talk of the tow bill. M repeated "another \$6", several times.

M looked for his glasses again and this time found them, but forgot to get his Green Card and Registration. The officers then went back to put a damage sticker on the other vehicle. One officer left the police car in order to do this.

M: Who are you catching now?

O: You.

M: Yes I'm in trouble but what about my neighbor?

O: No. Your'e the only (criminal?) around here.

M: What are you supposed to do?....kids on bicycles. You hit them and who is to blame? Just like up between 96 and 97 St. today. (He claimed to have seen a "kid" hit.)

A transformer blew out and the next while was taken up with listening to the police radio for the affected area as well as talking about what the police do when there is a power failure in their area. The following exchange occurred in the middle of this period.

O: You're so clever, so tell us how come (the police have power to broadcast when there is a power failure).

M: I didn't hit no car.

Still waiting for the second officer to return from placing a damage sticker on the parked car.

M: Will my insurance go up because of tonight?

O: What happened tonight?

M: (You know) Cliff's and all. ('Cliff's' was the towing service used).

O: You were pissed right out of your tree.

M: It would have been better if I would have hit a tree.

O: When did you hit that car?

M: I can't tell you. What time is it now?....(M states something

about '1 1/2 to 2 hours ago'.)

O: What street was it where you hit the car?

M: I don't know. I told you I only know my own street.

O: Why didn't you call the police?

M: I don't know. It was just bumper-to-bumper.....

M: Some kind man drove me home. He said "Paul"....No he didn't say "Paul", he said.....(steaming).

M talked about having seen the man who stopped and drove him home, in the area before, and suggested the police might look for him. He also said he drove a newer car. (The second officer returns).

O: What color was the car you hit?

M: Something like that (pointing to a white car).

O: How'd you end up running into it on the wrong side?

M: What wrong side?.....kids, a bunch, two or three walking....couldn't hit them. Who would be to blame (then)?.....cars on both sides (of the road).....was travelling in low gear.

Officer's verbalization as he tries to determine the time of the accident for his report.

O: It's now 12:30 and it was 1 1/2 hours ago, therefore it was about 11:00. (Note: a moment before the officer had spoken of it as being about 12:00 and the man had previously spoken of it as being up to 2 hours ago, which would have made it approximately 10:00, but the accident had not been reported until about 11:30 so the officer might have been 'fudging' a bit.)

M: Young punks. I know I shouldn't say that but they are punks.....they were walking and I hit bumper-to-bumper. (Talk of 'police should be taking care of things like that')didn't go very far.....went home, had supper and watched T.V.

O: Where did you leave it?

M: I don't know how you call the street.

O: By the river?

M: Yes.

:

O: Was your car stopped when he talked to you?

M: He was behind me and he pulled me over.

O: How did he stop you?

M: I thought it was the police.

O: Why did you think it was the police?

M: No. No. He said - what? - thought it was the police. (Underline indicates voice emphasis)

O: You're contradicting yourself.

Silence for a few minutes.

O: How did he stop you?
M: He stopped ahead of me.
O: Did he go around you? Did he pass on the right?
M:couldn't.
O: Why not.
M: You drive anywhere on a muddy road you can.
:(Confused talk concerning which side of the road -- for both his car and the other car)...
O: If he was on the right side why weren't you driving on the right?
O: You're making the story up.
M: No.
O: Yes.

Silence for a few minutes.

O: Why were you going to take backalleys home?
M:past Mrs. Miller's store....you know where.
O: (Jokes about Mrs. Brown's lovely daughter).
M: No. Mrs. Miller's.
:
O: Did you think the police were going to be coming around to see you?
M: What? No way.

The officers drove to M's home and then to Cliff's Towing lot to get the remainder of the man's vehicle documents. M. commented on the officer's bad driving, as they went over a bump, saying that he could drive better than that. Cliff's lot was muddy and the man seemed to get a bit wet while getting his documents from the car. He stood outside the police car while showing the documents to the officer through the open front window. He seemed quite unperturbed about the wetness until the officer suggested that he might be getting wet and that it would be a good idea if he got back into the car. The officers drove back to the man's house and wrote up a statement for him to sign. This was done partially under the man's direction and partially by the officer's recollection of what had been said previously. The statement included: the time of the accident, the date, and that the man: was driving the car when he struck a parked vehicle of the color specified previously; thought it was "bumper-to-bumper";

drove away because cars behind him were tooting their horns; stopped because his car was steaming; got a ride home; had dinner; watched T.V. and went to bed. I am uncertain if he included anything about "kids" or bicycles" in his statement.

The officer read the statement to the man, asked him to read it, and asked him if anything was left out. The man replied that nothing was left out and he signed the statement. The man was then given a summons. He talked: of the officers 'not being too hard on him' because he was a truck-driver; of having bawled out kids in the area on previous occasions for their having been in the road, and of the officers 'sometimes may be needing some help too'. There was considerable joking during the whole period following the blown transformer, but this was generally not recordable due to the fragmentary, situation-dependent nature of the remarks. After the man had left, one officer commented to the effect that 'he had been quite unobnoxious about it all'.

APPENDIX II

Data Collection

As stated in the introduction, my basic objective was the description of the organized processes whereby members do the detecting (discovery) of social troubles. I chose to study the police, because they appeared to be a social group that is routinely involved in the discovery of social troubles. In particular I had to patrol with officers in order to observe, and subsequently describe, these processes.

What I did can not properly be called participant observation. I was not attempting to become a full participant in the situations the police officers became involved in. The extent of my participation was that of a) building rapport, b) inquiring about the specifics of things I had missed or wanted an expansion of, and c) making myself unobtrusively present in situations in such a way as to be able to hear and see as much of what went on as possible. Nor was I a participant in the sense that I took it as my task to convey the sentiments or opinions of officers, to those who would read my thesis. Officers' opinions, impressions and viewpoints were not taken as presentable results, but instead were taken as symptoms, artifacts or results of the underlying processes, which were my concern. For example, if an officer asked me to 'write about problem X', that is, some particular thing he saw as a problem, I took it as my task to describe how he, as a trouble discovering member, must be functioning such that he could see X as a problem. This contrasts with simply re-reporting X as a problem. Naturally this was not how I responded to the officers in the field. Upon being told of a problem-X in the field, I adopted the general tactic of 1) inquiring about what the officer saw as being the exact nature of the problem, 2) indicating an interest in it, and 3) ending with a noncommittal statement,

such as one indicating I would give it some consideration.

The following quote from my introduction shows why what I did was not what is usually termed participant observation.

"To look 'through the eyes of the participant' is to establish within oneself a social competence more or less similar to that of the participant. If one then reports, as results, the 'meaning of events' arrived at on the basis of this competence, he has treated that competence as a resource. This is to be contrasted with the approach of reversing the question at this stage, and asking: Wherein resides the social competence whose skillful application results in the seeing of things as the participant, in this case the trouble discoverer, sees them?"

(Section 1-2-1#3)

I was primarily an observer, but I was also a participant to the extent that my sheer presence made me one, and to the extent that I participated in order to facilitate the unobtrusiveness of my presence as an observer.

Hanson 1969 Chapter 1, and Kuhn 1970 are recommended for their treatments of some of the philosophical problems underlying observation, but the issues they raise will not be discussed here because they are tangential to my major concerns here. We turn now to a discussion of the particulars of the work that was done with the Edmonton City Police Department (E.C.P.D.).

Permission to work with the E.C.P.D.¹ was obtained by writing to Chief Constable Sloane who had me contact Staff Inspector Shaw -- head of public relations -- to work out the details of my contact with the E.C.P.D.

The bulk of the work I did with the E.C.P.D. involved my being an observer in a police 'complaint car'² on the 9:00 p.m. to 5 a.m. Friday and

1. The co-operation of all the persons with whom I had contact in the E.C.P.D. is gratefully acknowledged. This thesis could not have been carried out without their co-operation. In particular I would like to thank all the officers with whom I patrolled. Inspector MacKintosh of the Patrol Division deserves a special thanks for the lengthy and invaluable introduction he gave me to the practical workings of the Patrol Division, on my first day, and for his continued helpfulness thereafter.

2. These are regular police cars, both marked and unmarked, that patrol
(Continued)

Saturday night shifts. This work was carried out on the fourteen Friday and Saturday nights in the periods of January 14 to February 12, and March 31 to April 8, 1972.

In general:

- 1) the patrolling was done in the downtown area. The time allowed for patrolling was too short to expect to cover any greater area for the purpose of inter-area comparisons.
- 2) I patrolled with two officers.³ I rode in the back seat while travelling.
- 3) I was able to enter any establishments the officers entered. At most times no explanation for my presence was requested,⁴ even when we entered private dwellings. The simple statement "I'm with the officers." seemed quite

2. Continued

specified districts of the city. They are concerned with both 'on-view' and 'citizen complaint' cases. They are not specifically attached to particular departments within the police force, as would be juvenile, drug, morality, and criminal investigation, squads.

3. Due to the changing of shifts, I normally patrolled with each pair of officers twice, but not necessarily on consecutive days. Gaining rapport with the officers was not nearly as difficult as I imagined it would be. By simply beginning my patrolling with each pair of officers with a short statement indicating 1) what I was up to, and 2) that I was completely under their control; and then by acting confident (not hesitating to stand near enough to be obviously 'listening in', not hesitating to ask questions when it was opportune, etc.) in and after the situations that inevitably develop between officers and civilians, I was very quickly accepted by the officers.

4. The following are typical requests, and replies to requests, for an explanation of who I was. There were only about eight such requests in the total time of my patrolling.

a) Man being questioned in police car, to officer.

M: Who is this guy?

O: Oh. He's with us.

b) Man being questioned in his home concerning a theft complaint.

M: Who is this, a Cop?

O: You might say so.

M: Oh, a detective.

O: Umhumm. (affirmative)

c) Informer talking to police officer in police car.

I: What about him? (Nodding his head to me)

O: He's fine.

adequate to get me past persons charged with the responsibility of making sure persons paid the appropriate entrance fees to some establishments. I even found no difficulty in approaching cars that had been stopped via use of the police's flashing red light, when I approached with an officer.

4) Sketchy notes were taken during patrol times and then the notes of the day were written up in full at the end of the patrol. My general policy was to try to take verbatim notes of conversations in the field and then to provide the contexts from memory when I came to write up the notes at the end of the patrol.⁵ In general some data like: intonations, length of pauses, slight hesitations, false starts, gestures, and facial expressions, were lost.

Once I had become accustomed to the officers' routine (for example, when and for how long, they would leave the car to carry out particular duties), note taking became quite easy. No officers objected to my note taking and they seemed especially at ease about it after I offered to let them read the notes. Such offers were usually made on the first occasion I made notes in the officers' presence. All such offers were declined by the officers. That I was willing to let them see the notes seemed to be enough to put them at ease.

5) I was able to discuss specific incidents with the officers, soon after they occurred, once I learned when such questioning would not interfere with their work. The availability of such 'free discussion time' meant that I did not have to do the interviewing I expected to have to do.

Skolnick's tactic of asking questions about "actions the policeman

5. Specific notations are inserted in the text where the data used was not recorded verbatim in this way. I did not ask if a taperecorder could be used as I strongly suspected it would have been too obtrusive.

had just taken or failed to take" (Skolnick 1966:33) seemed to work extremely well.⁶

Other work.

In addition to patrolling with officers, I: 1) interviewed the Chief Training Officer of the E.C.P.D.,⁷ with the intent of finding out about any special training given to officers concerning discovery techniques; and 2) obtained a copy of the E.C.P.D. training manual, which is a set of lecture-oriented pamphlets -- courtesy of Staff Inspector Bishop, and a copy of the Criminal Code -- courtesy of Staff Inspector Shaw.

In closing this section on methods, let me list some hints and warnings to whosoever would attempt this type of work.

1) Make your introductory letter, which the police require for filing purposes, brief, straight-forward, indicative of the full extent of any work you plan, and neither redundant nor ambiguous.⁸

2) Split your observation period. I left one month in the middle of my two observation periods for reflection on what I had observed in the first observation period, and for planning ways to obtain especially good and relevant data on these things, in the second observation period. This was a most beneficial strategy.

3) Pay special attention to your first few patrols. This is the period in which you will be learning the most about how to see things as a policeman

6. The other tactic mentioned in my prospectus (prospectus:5), namely Reiss' tactic of using the degree of vulgarity in officers' language as an indicator of naturalness, was found to be of little help as a high proportion of officers seemed to act most naturally without appreciable vulgarity in their language.

7. My thanks are extended to Staff Inspector Bishop for this interview.

8. The fact that my letter received several compliments to this effect, is why this point is presented here.

sees them, yet it is also the period when you know the least about what to look for, in terms of what the police do. The special attention is required here to overcome this methodological dilemma of not knowing what to look for, while being faced with the most opportune time for looking.

4) Expect 'tests' of your reactions, trustworthiness and sharpness.

For example: I was given a 'trick question' based on something that had been explained to me the day before, to see how well I learned things. It was hinted that I would be taken up to "meet the girls" (meaning prostitutes) as a means for two officers to find out if I was, in their words, "religious". I was asked questions such as "What do you think we could do?" shortly after officers had handled some situation in a way not provided for in terms of perfectly proper conduct. It was suggested I would 'get to take care of' the next drunk whom two officers found, as a means of their pointing out the practical nature of a problem with another drunk, that they had just solved in an unofficial manner. And, I had my car registration 'checked out' as a 'demonstration' of how the police vehicle-registration-check works.

5) Expect to be called as a witness to some incident. I was recorded as a witness to three or four incidents, and I was subpoenaed to appear in court as a witness to one incident.

6) Expect to be faced with blood, injured persons, abusive language, hinted and direct threats, loaded guns, etc., from citizens.

B30028